Assistant Attorney General
Criminal Division

4. Concerning whether or not the FBI believed Novel;

5. Concerning whether or not Novel had furnished any information indicating he had committed a crime.

Mr. Krupp requested a review of these areas be made for the purpose of determining whether Special Agent Chase could answer questions concerning them. Mr. Krupp noted that Special Agent Bombardier will be deposed in New Orleans on March 13, 1970. Mr. Krupp advised that if it were decided that answers could be furnished in these areas, Special Agent Bombardier might be able to furnish the answers, hence obviating the necessity to take another deposition from Special Agent Chase.

Mr. Krupp was advised we would review the entire matter and refer it to the Department of Justice for decision.

It is our recommendation that Special Agents Chase and Bombardier not be permitted to respond to questions in the areas delineated by Mr. Krupp because such questions delve into substantive investigative matters of the FBI and do not directly deal with the refutation of Novel's untrue allegations which attacked the integrity of the FBI.

For your information, we are advising our New Orleans Office that Special Agent Bombardier, when deposed, should furnish information, as did Special Agent Chase, only in those areas where Novel made untrue allegations about the FBI. We have already advised our New Orleans Office that the United States Attorney in New Orleans or a representative from his office should accompany Special Agent Bombardier when he furnishes his deposition in this matter.

Your prompt reply to the questions which have been raised by Mr. Krupp will be appreciated.

Enclosures - 2

NOTE FOR RECIPIENT SACs:

Enclosed for New Orleans are two copies of deposition of SA Chase. One copy of this deposition is enclosed for Chicago for its information.

NOTE FOR RECIPIENT SACs CONTINUED
PAGE THREE

Assistant Attorney General
Criminal Division

NOTE FOR RECIPIENT SACs CONTINUED:

New Orleans, upon receipt of subpoena by SA Bombardier, notify United States Attorney under Departmental Order 381-67, Subpart B, Section 16.13 (see Part II, Section 8, page 12, Manual of Rules and Regulations). When notifying the United States Attorney, advise him Bureau has been in contact with the Criminal Division of the Department on this matter, specifically Mr. Marvin H. Helter.

New Orleans note that in discussion with Bureau representatives on 3/4/70, Mr. Krupp advised he expected to take deposition from SA Bombardier on 3/13/70.

New Orleans be certain United States Attorney or an attorney from his office accompanies SA Bombardier when SA Bombardier furnishes deposition. SA Bombardier should carefully study the deposition made by SA Chase since we can anticipate Mr. Krupp will ask SA Bombardier the same or similar questions. Unless advised to the contrary by the Department, SA Bombardier should take the same position with regard to these questions as did SA Chase, respectfully declining to respond to them for the reasons set forth above in the letter to the Department.

The Department's response to the above letter will be furnished all recipients as soon as it is received.

Copy for Chicago is for information since Mr. Krupp's office is in Chicago.

NOTE:

See memorandum Branigan to Sullivan, dated 3/6/70, same caption, prepared by TNG:mkl/rad.

Mr. W. C. Sullivan

3/6/70

W. A. Branigan

1 - Mr. C. D. DeLoach
1 - Mr. W. C. Sullivan
1 - Mr. W. A. Branigan
1 - Mr. T. N. Goble

DEPOSITIONS IN THE
GORDON NOVEL CASE

On 3/4/70, Mr. David Krupp, Chicago attorney for IMH Publishing Company, called at the Bureau and at his request presented to SAs W. A. Branigan and T. N. Goble his views concerning the deposition furnished by SA J. Peter Chase on 2/22/70. Memorandum 2/26/70 in this matter, noted by the Director, advised that Gordon Novel had brought a libel suit against the publishing company and in connection with the suit had furnished a deposition alleging an exchange of information between himself and two SAs, Chase and Roger A. Bombardier. The Department approved our recommendation that these Agents be deposed by Mr. Krupp to refute Novel's untrue allegations, and SA Chase was deposed on 2/22/70. Mr. Krupp has indicated he was impressed with SA Chase but felt Chase might have been overzealous in his concern for the Bureau in declining to answer certain questions.

Mr. Krupp, on 3/4/70, noted five areas of questioning where SA Chase declined to furnish answers and requested these be reviewed for a determination as to whether answers could be permitted. Mr. Krupp was advised we would study the areas and refer the matter to the Department.

OBSERVATIONS: The five areas concern substantive investigative matters of the FBI and do not directly deal with the refutation of Novel's untrue allegations. Chase did refute these. As noted above, Department has already decided SAs Chase and Bombardier should furnish depositions to refute the untrue allegations. Departmental Order 381-67 requires that the Attorney General be immediately notified of any demand for the disclosure of information acquired by any employee as a part

Enclosure
62-113030
(1)- 62-109060 (Assassination of President Kennedy)

TNG:mkl/rad (6)

CONTINUED - OVER

62-107060-
NOT RECORDED
176 MAR 10 1970

MAR 12 1970

of his official duties. We should refer the present request of Mr. Krupp, which goes beyond his original request, to Department and we should recommend that SAs Chase and Bombardier not be permitted to respond to the questions noted by Mr. Krupp for the reasons set out immediately above.

ACTION: Attached for approval is letter to Department spelling out the requests of Mr. Krupp and setting forth our recommendation. Appended thereto is note for SACs, wherein instructions are given to New Orleans concerning forthcoming deposition to be furnished by SA Bombardier

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA FPMR (41 CFR) 101-11.6

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI

DATE: March 6, 1970

FROM : SAC, BOSTON (62-0)

ATT: CRIME RECORDS DIVISION

SUBJECT: EDMUND CALLIS BERKELEY
34 OTIS STREET
NEWTONVILLE, MASSACHUSETTS
INFORMATION CONCERNING

Mr. DeLoach
Mr. Mohr
Mr. Bishop
Mr. Casper
Mr. Callahan
Mr. Conrad
Mr. Felt
Mr. Gale
Mr. Rosen
Mr. Sullivan
Mr. Tavel
Mr. Soyars
Tele. Room
Miss Holmes
Miss Gandy

EXP-PROC

The above-named individual has been the subject of investigation in the Boston Office under Boston File 100-26616, BUFILE 100-376554.

This individual can be at least described as an eccentric; however, he has in the past been on the Crime Prevention Commission of the City of Newton and as a result became friendly and apparently trusts Chief WILLIAM QUINN of the Newton, Massachusetts, Police Department, although, according to the Chief, he does not have any great love for anyone in law enforcement.

According to Chief QUINN, BERKELEY has advised him that he and a group of others, who are unknown to QUINN, have had several meetings in Washington and New York and are writing a book pertaining to the assassination of the late President JOHN F. KENNEDY. The projected date of publication is May, 1970. The theme of the book, according to what BERKELEY has told QUINN, is to indicate in the book that the FBI and the Warren Commission suppressed the evidence in the hearing before the Warren Commission in the KENNEDY assassination. The reason why BERKELEY is apparently a member of this group is because they are hoping to utilize BERKELEY's expertise in the data processing field to apparently establish, through data processing machinery, proof that the FBI and the Warren Commission suppressed the true evidence in the case. He has also told Chief QUINN, however, that he lives daily in fear that the lower echelon of the FBI and especially the CIA will try to kill him because of his connection with the publication of the above-mentioned book. At the present time, there is no title to the book, however, Chief QUINN advises that BERKELEY has indicated to Chief QUINN that he

3 - Bureau
(1 - 100-376554)
2 - Boston (62-0)
(1 - 100-26616)
JLH:ds
(5)

MAR 10 1970

CRIME RESEARCH

UNRECORDED COPY FILED IN

MAR 5-MAR 10 1970

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

will give him an advanced copy. Chief QUINN will, of course, make this copy available to the Boston Office of the FBI immediately upon receipt and we shall forward it to the Bureau.

BERKELEY publishes a magazine known as "COMPUTERS AND AUTOMATION" and has a subscription to this magazine of approximately 17,000 people and it is anticipated that they will use these 17,000 people as potential buyers of this book.

For the information of the Bureau, BERKELEY was born March 20, 1909, in New York City. He resides at 34 Otis Street, Newtonville, Massachusetts, and in 1962 maintained an address at 36 West 11th Street, New York City and periodically went to New York on business.

At 815 Washington Street, Newtonville, BERKELEY, who is a prolific writer, publishes a monthly magazine called "COMPUTERS AND AUTOMATION". He also operates the EDMUND C. BERKELEY ENTERPRISES, INC. He also utilized his office in connection with the 10th Congressional District Committee for a Sane Nuclear Policy; Branch Office Science Material Center, a Division of the Library of Science; and the Working Group for a Better Education. In 1934, BERKELEY reportedly visited Russia and his name was included in a list of students at the Summer Session of the Soviet Moscow University. BERKELEY appeared before a Security Board Hearing conducted by the Naval Board in 1955 to determine his loyalty and fitness as a Naval officer. BERKELEY's resignation from the U. S. Naval Reserve under honorable conditions was accepted effective March 24, 1956. BERKELEY has served as Co-Chairman of the Greater Boston Committee for a Sane Nuclear Policy; Executive Board Member of the National Committee for a Sane Nuclear Policy; and as Secretary of the Boston Committee for Disarmament and Peace.

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. W. C. Sullivan

FROM : W. A. Branigan

DATE: 3/6/70

1 - Mr. C. D. DeLoach
1 - Mr. W. C. Sullivan
1 - Mr. W. A. Branigan
1 - Mr. T. N. Goble

Tolson
DeLoach
Walters
Mohr
Bishop
Casper
Callahan
Conrad
Felt
Gale
Rosen
Sullivan
Tavel
Soyars
Tele. Room
Holmes
Gandy

SUBJECT: DEPOSITIONS IN THE GORDON NOVEL CASE

On 3/4/70, Mr. David Krupp, Chicago attorney for HMH Publishing Company, called at the Bureau and at his request presented to SAs W. A. Branigan and T. N. Goble his views concerning the deposition furnished by SA J. Peter Chase on 2/22/70. Memorandum 2/26/70 in this matter, noted by the Director, advised that Gordon Novel had brought a libel suit against the publishing company and in connection with the suit had furnished a deposition alleging an exchange of information between himself and two SAs, Chase and Roger A. Bombardier. The Department approved our recommendation that these Agents be deposed by Mr. Krupp to refute Novel's untrue allegations, and SA Chase was deposed on 2/22/70. Mr. Krupp has indicated he was impressed with SA Chase but felt Chase might have been overzealous in his concern for the Bureau in declining to answer certain questions.

Mr. Krupp, on 3/4/70, noted five areas of questioning where SA Chase declined to furnish answers and requested these be reviewed for a determination as to whether answers could be permitted. Mr. Krupp was advised we would study the areas and refer the matter to the Department.

OBSERVATIONS: The five areas concern substantive investigative matters of the FBI and do not directly deal with the refutation of Novel's untrue allegations. Chase did refute these. As noted above, Department has already decided SAs Chase and Bombardier should furnish depositions to refute the untrue allegations. Departmental Order 381-67 requires that the Attorney General be immediately notified of any demand for the disclosure of information acquired by any employee as a part

Enclosure sent 3-6-70
62-113030
1 - 62-109060 (Assassination of President Kennedy)

TNG:mkl/rad (6)

MAR 12 1970

CONTINUED - OVER

51 MAR 18 1970

NOT RECORDED
191 MAR 12 1970

ORIGINAL FILED IN 6

of his official duties. We should refer the present request of Mr. Krupp, which goes beyond his original request, to Department and we should recommend that SAs Chase and Bombardier not be permitted to respond to the questions noted by Mr. Krupp for the reasons set out immediately above.

ACTION: Attached for approval is letter to Department spelling out the requests of Mr. Krupp and setting forth our recommendation. Appended thereto is note for SACs, wherein instructions are given to New Orleans concerning forthcoming deposition to be furnished by SA Bombardier.

SAC, Chicago (67-832) 3/19/70

Director, FBI (62-113030) 1 - Mr. T. N. Goble

DEPOSITIONS IN THE GORDON NOVEL CASE

ReBulet to Assistant Attorney General, Criminal Division, 3/6/70, captioned as above, copies of which were furnished recipients.

Enclosed for each recipient is one copy of a memorandum from Will Wilson, Assistant Attorney General, Criminal Division, dated 3/12/70.

Recipients note that the Department has advised that SA J. Peter Chase properly declined to answer certain questions propounded by Mr. David J. Krupp at the time SA Chase was deposed by Mr. Krupp 2/22/70.

Recipients note that on 3/4/70, Mr. Krupp discussed with representatives of this Bureau these questions and requested they be reviewed for the purpose of determining whether SA Chase could answer them.

Chicago is instructed to personally contact Mr. Krupp immediately at his office in the law firm of Devoe, Shadur, Plotkin, Krupp and Miller. Refer to his discussion with Section Chief William A. Branigan and Supervisor Theodore N. Goble on 3/4/70. Advise him that the questions he raised with Messrs. Branigan and Goble were referred to the Department of Justice, which has advised that SA Chase properly declined to answer the questions. Tell Mr. Krupp that the Department advised that questions in the areas suggested by Mr. Krupp delve into substantive investigative matters and do not directly refute Gordon Novel's false allegations.

Handle immediately and furnish results of contact with Mr. Krupp.

Enclosure
1 - New Orleans (67-681) (Enclosure)
1 - WFO (66-4681) (Enclosure)

NOT RECORDED
121 MAR 23 1970

1 - 62-109060 (Assassination of President Kennedy)
TNG:mkl (7)

SEE NOTE PAGE TWO

CONFIDENTIAL YELLOW

6 OMAR 25 1970

Letter to SAC, Chicago
RE: DEPOSITIONS IN THE GORDON NOVEL CASE
62-113030

NOTE:

Since Mr. Krupp took the trouble to personally appear at the Bureau to raise his questions, we should extend to him the same courtesy and have an Agent from the Chicago Office call upon him and advise him of the Department's decision in this matter.

FD-36 (Rev. 5-22-64)

FBI

Date: 3/17/70

Transmit the following in _____ (Type in plaintext or code)

Via AIRTEL AIRMAIL (Priority)

Mr. Tolson ✓
Mr. DeLoach
Mr. Mohr
Mr. Bishop
Mr. Casper
Mr. Callahan
Mr. Conrad
Mr. Felt
Mr. Gale
Mr. Rosen
Mr. Sullivan
Mr. Tavel
Mr. Soyars
Tele. Room
Miss Holmes
Miss Gandy

TO: Director, FBI (62-109060)

FROM: SAC, New Orleans (89-69) (P)

ASSASSINATION OF
PRESIDENT JOHN FITZGERALD KENNEDY,
DALLAS, TEXAS, 11/22/63
MISC. - INFO CONCERNING
OO: DALLAS

Enclosed for the Bureau are newspaper articles appearing in New Orleans newspapers concerning above-captioned matter.

One copy each of these newspaper articles is enclosed for Dallas and Miami.

2 - Bureau (Enc. 2) EX-117
1 - Dallas (89-43)(Enc. 2) REC. 58
1 - Miami (Enc. 2)
1 - New Orleans
:bs
(5)

62-109060-6423

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

FD-350 (Rev. 7-16-63)

(Mount Clipping in Space Below)

Novel Charged In Transport of Bugging Device



• GORDON NOVEL

Gordon Novel, sought as a witness by Dist. Atty. Jim Garrison in his Kennedy assassination probe, is scheduled for arraignment Friday on charges of interstate transportation of unlawful eavesdropping devices in Reno, Nev.

Federal Marshal Don Weaver last Thursday arrested Novel on U.S. grand jury indictment.s. Novel was freed the next day on $10,000 bond.

The indictment said Novel had in his possession a briefcase with a radio receiver, recorder and microphone at an Indian pyramid tribal council meeting at Nixon, north of here. The indictment said he transported the device to Nevada from Ohio sometime before last July 29.

Novel, a former New Orleans nightclub operator now living in Reno, has said he knows nothing about the Kennedy assasination and once filed a $50 million suit against Garrison and his backers, saying Garrison's statements ruined his reputation.

Novel dropped that suit in 1967 rather than return to New Orleans to testify.

Novel also filed a $1 million damage suit in February, 1969, against Ohio Bell Telephone Co., for allegedly tapping his telephone in Columbus, Ohio.

(Indicate page, name of newspaper, city and state.)

PAGE 1

SECTION 1

THE STATES-ITEM

NEW ORLEANS, LA.

Date: 3-11-70
Edition: RED COMET
Author:
Editor: WALTER G. COWAN
Title:

ASSASSINATION OF PRESIDENT JOHN F. KENNEDY, TEXAS

Character:
Classification: 11-22-63
Submitting Office: 89-N.O.,LA.

☐ Being Investigated

62-109060

UNRECORDED

(Mount Clipping in Space Below)



GORDON NOVEL

NOVEL IS FACING CHARGE IN RENO

JFK Case Probe Figure Is Under $10,000 Bond

Once sought as a witness in District Attorney Jim Garrison's Kennedy assassination probe, Gordon Novel is scheduled to be arraigned Friday on charges of interstate transportation of unlawful eavesdropping devices in Reno, Nev.

Novel was arrested last Thursday on a U.S. Grand Jury Indictment and was freed the next day on a $10,000 bond.

The indictment charged that Novel had in his possession a briefcase with a radio receiver, recorder and microphone at an Indian pyramid tribal council meeting at Nixon, Nev. The document said Novel transported the device to Nevada from Ohio sometime before last July 29.

Novel, who formerly owned a nightclub here but is now living in Reno, claims he knows nothing about the Kennedy assassination. He filed a $50 million suit against Garrison and his backers, but dropped it in 1967 rather than return to New Orleans to testify.

(Indicate page, name of newspaper, city and state.)

PAGE 14

SECTION 1

THE TIMES-PICAYUNE

NEW ORLEANS, LA.

Date: 3-12-70
Edition:
Author:
Editor: GEORGE W. HEALY JR
Title:
Character: ASSASSINATION OF PRESIDENT JOHN F. KENNEDY, TEXAS
Classification: 11-22-63
Submitting Office: 89-
☐ Being Investigated N.O., LA.

62-109060-61

SEARCHED

March 20, 1970

Airtel

1 - Mr. Raupach
1 - Mr. Nuzum

REC-56 EX-117

To: SAC, New Orleans (89-69)

From: Director, FBI (62-109060) — 6923

ASSASSINATION OF
PRESIDENT JOHN FITZGERALD KENNEDY,
DALLAS, TEXAS, 11/22/63
MISC. - INFO CONCERNING
OO: DALLAS

ReNOairtel dated 3/17/70.

For the information of offices receiving copies of this letter, the information set forth in the news clippings enclosed with reairtel, concerning Gordon Novel, has no connection with captioned matter. Novel is a subject of the case captioned "Gordon Michael Duane Novel, Interception of Communications," Bufile 139-3427, LVfile 139-18. In the interception of communications matter, the Federal grand jury, Reno, Nevada, on 3/3/70 returned an indictment charging Novel with possession and interstate transportation of an unlawful electronics surveillance device in violation of Title 18, Sections 2512 (1),(a) and (b), U. S. Code. He was arrested 3/5/70 and is awaiting prosecution on the interception of communications violation.

1 - Dallas
1 - Miami

CAN:mlp
(8)

MAILED 25
MAR 20 1970
COMM-FBI

Tolson
DeLoach
Mohr
Bishop
Casper
Callahan
Conrad
Felt
Gale
Rosen
Sullivan
Tavel
Soyars
Tele. Room
Holmes
Gandy

1 MAR 26 1970

TYPE UNIT

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA FPMR (41 CFR) 101-11.6

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI

DATE: 3/20/70

FROM : SAC, CHARLOTTE (89-46) (C)

SUBJECT: ASSASSINATION OF PRESIDENT JOHN FITZGERALD KENNEDY, NOVEMBER 22, 1963, DALLAS, TEXAS
TEXAS
MISC. - INFORMATION CONCERNING

Re Charlotte letter to Bureau, 7/3/68, enclosing LHM reporting information received from [redacted] N. C., a mental patient who was at that time a mental patient in the Veteran's hospital at Durham, N. C.

Enclosed for the Bureau are 8 copies of an LHM in captioned matter reflecting information from [redacted], a patient at the Veteran's hospital, Salisbury, N. C. One copy of the LHM is designated for information of Cincinnati.

Copies of the LHM are being disseminated locally to SS and 111th MIG, Ft. Bragg, N. C.

No further action being taken by Charlotte.

ENCLOSURE

REC-87

2 - Bureau (Encs. 8) (RM)
1 - Cincinnati (Info) (Enc. 1) (RM)
1 - Charlotte
GHC:jat
(4)

62-109060-6424

EX-101 REC-57

18 MAR 23 1970

1 cc FD-376 with LHM to USSS
(cc LHM DEPT./RAO CRIM DIV)
3/24/70
6-MR

62-109060-6503

6 MAR 31 1970

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to File No.

Charlotte, North Carolina
March 20, 1970

ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY,
NOVEMBER 22, 1963, DALLAS, TEXAS
MISCELLANEOUS - INFORMATION CONCERNING

Reference is made to previous memorandum dated July 3, 1968, at Charlotte, North Carolina, setting forth information from [redacted] Army Serial Number [redacted] United States Army (retired), [redacted] North Carolina.

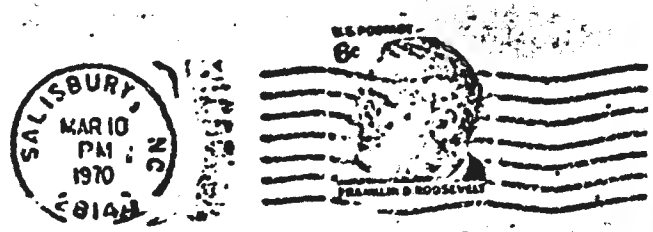
On March 16, 1970, Sister M. GERMAINE CONROY, O.P., Administrator, St. George Hospital, 3156 Glenmore Avenue, Cincinnati, Ohio, made available the following letter which was received at St. George Hospital on March 12, 1970. When furnishing this letter she stated to her knowledge [redacted] has never been a patient of St. George Hospital nor is there any other connection she knew of.

This letter states as follows:

THIS DOCUMENT CONTAINS NEITHER RECOMMENDATIONS NOR CONCLUSIONS OF THE FBI. IT IS THE PROPERTY OF THE FBI AND IS LOANED TO YOUR AGENCY; IT AND ITS CONTENTS ARE NOT TO BE DISTRIBUTED OUTSIDE YOUR AGENCY.

62-109060-6924

ENCLOSURE



St. Joseph
Hospital
3156 Eden Ave
Cincinnati 38 Ohio

March 8-10-70

Dear Sir

My Name is cpl [redacted] and I heard Mr Phillips paul and Mr Marvin P Getterton and Jack Ruby and Mr Arglecall and Mr Jack Harris said over the Raidar at the Station in Chacoueinity NC April 4-1962 That They Neds Gonen to Kill president John F. Kennedy for Talking about the Silver Nights for the Negroes and I Wrote it Down and I Read the Letter to Mr Jack Harris the high Sheriff in Washington NC Jail Gune 6-5-62 and Mr Jack Harris Was so Slow That I Register a Letter [illegible] INDEXED FILED MAR 1 1970 FBI - LOUISVILLE president John F. K. Sincl cpl [redacted]

July 4-11-62 and phillips
Paul was talking so
strong about killen
President John F. Kennedy
then a Pride to call the
adjutant General
Jan 1-1-63 But the Telephone
operaters in Washington
DC wouldnot Let one call
and a Pride to call Euvary
Mount in 1963 up to the
time phillips paul Kill
President John F. Kennedy
for talking about the
Silver Knights for the
Negeros and painted a
Negro to be over a White
Man. Now here is Some
the people Name that No
phillips paul is the one
that Kill president John
F Kennedy Mrs ada
Taylor Mr Jack Harris

FERRELL

Mr Marvin P Mitterton
and Judge Hallett S. Ward
and Charles A Hester and
Telephone operaters and
all the police force in
Washington NC No Mr
Phillips Paul Kill
President John F. Kennedy
and That is why Mr Jack
Harris Couldnot Lock up
Mr phillips paul Because
Mr Jack Harris is in it to
and I have a paper here
with me in This VA Hosp.
in Salisbury NC to show
you That Judge Hallett S.
Ward is Cover up for Mr
phillips paul and the
Telephone operaters
Because They Wouldnot
Let me Call the adjutant
General and the Mair in
Washington NC is the
Leader and I Get a Kind

Petition 4 from
Headquarters Department
of the army office of the
adjutant General AGPO
Washington DC 20315
Encamp Mount and I am
under to do what I am
sworn by the Constution
of the Federal Law of the
united State and under
By the Secretary of the
army and I have got to
get this to the adjutant
General now you can
ask the Secretary of the
army dont I have to
Murin in Encamp and
that kept phillips paul
Kill president John F.
Kinnedy and me Marcin
P Mitchell said and he
got me in this Mental V A
Hospital in Salisbury NC

When Jack and the
Adjutant General
Would not Believe what
I Tell You and I am a
Agency for the
Constition of the Federal
Law of the United State
And mr Mannin Patterson
And the Mair and phillips
paul Want to give me
One Hundred Thousand
dollars if I Kep my Mouth
Shut and mr Jack Harris
Told me July 7-1962 to
Stay away from the
Court house the Second
Time I went to Tell mr
Jack Harris about mr
Phillips paul and mr
Azzlewall and Jack Ruby
And mr Jack Harris at that
Time and the Man Was
on the Raidar Sind By
[redacted]

Station was the only
one I had cant in
Chocawinity NC at the
Station august 8-3-60
and august 8-4-60
And I want you to see
What this Letter Got to
Headquarters Department
of the army attic of the
adjutant General 4GPO
Washington DC 20315
and I tried to call the
adjutant General
But the telephone
operators in Washington
NC wouldnot let me
Call and tell the
adjutant General But
the telephone operators
in Washington NC
wouldnot let me call
and tell the adjutant
General

About phillips paul
Was Goten to Kill
President John. F. Kennedy
And phillips paul and mr
Marvin P Fletcher Said
They Was Goten to have me
Kill in this V A Hospital
in Salisbury NC Like they
had Jack Ruby Kill in
The Hospital he died in
1965 And phillips paul
And Marvin P Fletcher
Went to Fort Bragg NC
oct 10-10-62 to Kill
President John. F. Kennedy
Their and the
Commanding LT. General
John J Tolson in
Fort Bragg NC dont No
it And I cant Get a
Letter out of North
Carolina or to LT
General John J Tolson
in Fort Bragg NC

And I am a Retired
Regular army personnel
and I am not Line on
Mr phillips paul and
if you think that I am
Line I have $8.000
dollars in the Wachovia
Bank in Trust Company
in Statesville NC and
Mr J H Mayl is the
President over the Bank
and you can have the
$8.000 dollars if I am
Line to you and it was
a Man here to this VA
Hospital in Salisbury NC
Jan 1-9-70 and he said
he was a US Secret
Service agency part
Office Box 1424
Charlotte NC

Line By [redacted]

And he said he had
Hunn phillips paul
and all the others in to
President Nixon for
helping phillips paul
Kill president John F.
Kennedy and mr phillips
paul told me over the
Telephone april 4-1969
That he was going to
Washington DC and
Kill president Nixon
That he was the one
That Kill president
John F Kennedy 1963

[redacted]

VA Hospital
Ward 3 2 B
Salisbury NC
Send a F B i here

[redacted] Sincerely

Here

And here is the address
the US Secret Service
Agency P.O. office Box
1424 Charlotte NC

5-22-64)

FBI

Date: 3/19/70

Transmit the following in _____ (Type in plaintext or code)

Via AIRTEL _____ (Priority)

TO: DIRECTOR, FBI (62-109060)

FROM: SAC, DALLAS (89-43) (P*)

SUBJECT: ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY
November 22, 1963, DALLAS, TEXAS
MISCELLANEOUS - INFORMATION CONCERNING

OO: DALLAS

On 3/18/70 one LEWIS R. DECKER, Box 147, Groesbeck, Texas, appeared at the Dallas office on another matter and as he was departing the Dallas office he advised SA THADDEUS P. DROAST of the following:

He stated that he had some information he had always wanted to furnish the FBI concerning captioned matter. He advised that on 11/22 and 23/63, CLAY SHAW was registered at his (Mr. DECKER's) hotel in Groesbeck, Texas. He continued that he knew it was CLAY SHAW because SHAW gave his hotel a worthless check. The handwriting on the check was difficult to read but DECKER's wife took the license number of SHAW's car. DECKER stated he still has the hotel registration where SHAW signed on the above dates. He stated he had desired to furnish this information to District Attorney JAMES GARRISON in New Orleans but was never able to get connected with GARRISON. DECKER continued that he had never had the opportunity to give this information to an FBI office before but wanted to make it known since he had appeared in the Dallas office on another matter. DECKER stated he is an oil and gas broker and also runs the Lockhart Hotel in Groesbeck, Texas.

ST-111 REC 17 62-109060-6925

The Dallas general indices as well as the special indices on the assassination case are negative concerning DECKER.

The above information is being furnished the Bureau, New Orleans, and San Antonio for information and no investigation is deemed advisable, UACB.

(2) - Bureau
1 - New Orleans (89-69)(INFO) 2 - Dallas
1 - San Antonio (89-67)(INFO) (6)

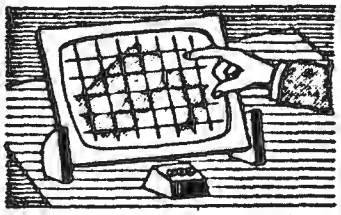
RPG:jls

59 APR 7 1970

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

8 MAR 20 1970

PERSONAL DATA SERVICES
A NEW YORK CORPORATION
193 PINEWOOD ROAD • HARTSDALE, NEW YORK 10530
(914) 949-3009



N.Y.

March 24, 1970

Mr. J. Edgar Hoover
Federal Bureau of Investigation
Washington, D.C.

REC 6

Dear Mr. Hoover:

I am conducting research on the assassination of President Kennedy specializing in analysis of the photographic evidence. I am also a member of the National Committee to Investigate Assassinations.

John F Kennedy

For some time I have been searching for several photographs and information related to seven other photographs taken by various people during the assassination. These materials are not in the National Archives.

I have accumulated information from the photographers and other sources involved which indicates these photographs and other evidence are, or at least were, in the possession of your agency. I would appreciate your letting me know whether you have them, and whether you can make copies of them available to me and the committee for research purposes.

The list of materials follows:

1. Records of the Dallas Police for November 22, 1963, showing booking arrests made at the police station or the jail. Names, photos, addresses and fingerprints of persons booked.

2. Same as item 1 above for Dallas County Sheriff's Office.

3. Photograph taken by Mary Moorman of motorcycles ahead of Kennedy limousine in the motorcade, TSBD shows in the background. (Turned over to FBI by Mrs. Moorman.)

EXP PROC 30 MAR 27 1970

REC 76 62-109060-6265

MAR 27 1970

4-1-10
Fairchild

4. Photograph taken by Phillip Willis in Dealey Plaza showing man being arrested or under arrest near the Dal Tex Building or the Dallas County Records Building. (Turned over to FBI by Willis.)

5. Two photographs taken by Norman Similas in Dealey Plaza showing TSBD in the background and the overpass, with Kennedy's limousine in the foregound. (Turned over to FBI by Liberty Magazine of Canada, via the RCMP.)

6. Movie of JFK movement on Elm Street in Dealey Plaza taken by woman identifying herself to Detroit FBI as Mrs. Beck. Or, alternatively, the final report of the Detroit FBI on their search for Mrs. Beck.

7. Photograph taken on morning of assassination showing TSBD in background by unknown photographer. Developed by Ed Foley (Dallas Camera Shop) and turned over to FBI. Also I would like to know the name of the photographer which the FBI recorded on Monday, November 25, 1963.

8. Photograph taken by James Powell in Dealey Plaza showing TSBD in background. (Turned over to FBI by Powell's superior officer.)

Yours sincerely,

Richard Sprague

Richard E. Sprague

REC 16 62-109060-6926

April 1, 1970

Mr. Richard E. Sprague
Personal Data Services
193 Pinewood Road
Hartsdale, New York 10530

Dear Sir:

I have received your letter of March 24th. With respect to your request, it will not be possible to furnish the assistance you are seeking as all pertinent material, including movies and photographs, relative to the assassination of President Kennedy was made available by this Bureau to the Warren Commission. That Commission subsequently turned the material over to the National Archives.

MAILED 22
APR 1 1970
COMM-FBI

Very truly yours,

J. Edgar Hoover

John Edgar Hoover
Director

Tolson
DeLoach
Walters
Mohr
Bishop
Casper
Callahan
Conrad
Felt
Gale
Rosen
Sullivan
Tavel
Soyars
Tele. Room
Holmes
Gandy

1 - New York - Enclosure

NOTE: Our files disclose in a Rosen to Mr. DeLoach memo dated 3/26/68, captioned "Assassination of President John Fitzgerald Kennedy, 11/23/63, Dallas, Texas," it was noted that Richard E. Sprague had written to the Administrative Assistant to Senator Robert F. Kennedy, enclosing a number of photographs taken at the assassination site and stated he was a proponent of the theory

NOTE CONTINUED PAGE TWO

54 APR MG cnb (4) cnb

MAIL ROOM TELETYPE UNIT

1-1672-4724

Mr. Richard E. Sprague

NOTE CONTINUED: that more than one individual was firing shots at President Kennedy when he was assassinated. It had been determined that Sprague assisted individuals who have been severely critical of the Warren Commission and the FBI. We wrote him on 7/18/68 utilizing above salutation and complimentary closing in view of data in our files regarding him.

FBI - CIA
FEB 3 10 PM '71

SAC, Dallas (89-43) April 15, 1970

Director, FBI (62-109060) 1 - Mr. Raupach

ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY
NOVEMBER 22, 1963
DALLAS, TEXAS
MISCELLANEOUS - INFORMATION CONCERNING

Enclosed for information of Dallas is a Xerox copy of Chicago airtel dated 4/7/70, captioned, "Sherman H. Skolnick, Plaintiff, VS. National Archives and Records Service, Defendant, Information Concerning," and one Xerox copy of a complaint filed by Skolnick in which the National Archives and Records Service is named as defendant.

For your information, Bufiles reveal Skolnick has filed numerous suits in U. S. District Court (USDC) at Chicago. In November, 1967, Federal Judge William J. Campbell, Chicago advised our Chicago Office that Skolnick, who reportedly was [redacted] had filed all types of law suits before the USDC. Judge Campbell stated he had created an executive committee to review law suits filed and to eliminate those which obviously had no merit. Skolnick was arrested 9/18/69 at Chicago for violation of the USDC order which banned electronic news equipment and cameras from the interior, sidewalks, and plaza of the Federal Building at Chicago. This was in connection with the trial of the eight individuals concerning their involvement at the Democratic National Convention in August, 1968.

Following a review of Bureau files concerning Skolnick's allegation that Thomas Arthur Vallee was involved in a plot to kill President Kennedy on 11/2/63 at Chicago, Illinois, U. S. Secret Service investigated this incident and determined there was no plot involved. Our subsequent investigation regarding this matter relating to the assassination of President Kennedy indicated there was no relationship between Vallee and the assassination or Lee Harvey Oswald.

REC 4 62-109060-6927
EX-112 APR 17 1970

KMR:dv
(4)

NOTE: See memorandum A. Rosen to Mr. DeLoach dated 4/13/70 captioned, "Sherman H. Skolnick, Plaintiff Versus National Archives and Records Service, Defendant, Information Concerning," KMR:dv

MAILED 23 APR 15 1970 COMM-FBI

XEROX APR 21 1970

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Tele. Room
Holmes
Gandy

MAIL ROOM TELETYPE UNIT

56 MAY 1 1970

EX-FILED IN 62-109060

113450

REC-35

62-109060-6928

April 16, 1970

Mr. Howard Roffman
8829 Blue Grass Road
Philadelphia, Pennsylvania 19152

Dear Mr. Roffman:

Mr. Hoover has received your letter of April 4th and asked me to advise you that the pressure of official business will not permit him to be of further assistance to you. The complete results of the FBI's investigation following the assassination have been turned over to the President's Commission on the Assassination of President Kennedy.

Sincerely yours,

/s/ Helen Gandy

Helen W. Gandy
Secretary

MAILED 9
APR 16 1970
COMM-FBI

NOTE: We have had considerable correspondence with addressee relative to various aspects of the assassination. He is a seventeen-year-old boy who is apparently preparing a book regarding the assassination. He is becoming somewhat of a "pest" regarding this matter and it is believed that we should attempt to terminate his correspondence with the above letter.

GEM:gkp (3)

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MAIL ROOM ☐ TELETYPE UNIT ☐

April 4, 1970

Mr. John Edgar Hoover
United States Department of Justice
Federal Bureau of Investigation
Washington, D.C. 20535

Dear Mr. Hoover:

This letter is in reference to certain items involving the assassination of President John F. Kennedy. If you recall, we have corresponded in the past, and you provided valuable assistance with my work in this field. I do appreciate your efforts. I now have two other matters which I thought you might be able to help me with.

1. The National Archives tells me that the paper sack (Commission Exhibit 142) presumed to have held Oswald's rifle is so discolored by chemical treatment that it cannot be ascertained whether that bag ever bore oil stains. I have found no reference to such stains in the testimony of James Cadigan who examined the bag for the FBI and the Commission. Nor have I found such a reference in either of the reports issued by your bureau about the assassination. My request is this: were any tests or examinations made on the sack CE 142 to determine the presence of oil stains, and, if so, what were the results of these?

2. In his testimony before the Warren Commission, Robert Frazier mentions that spectrographic analyses were conducted with the various ballistics specimens related to this case, i.e., the "whole" bullet, bullet fragments and particles. It is my understanding that the National Archives is not in possession of any report or memorandum concerning these tests, and my own search of the hearings and exhibits has not turned up any such reports. However, I would imagine that a report was made on the spectrographic analysis. Could you tell me if your bureau is in possession of such a report, if it is available, and possibly the nature of the report. If it is not available to the public, I would be interested in knowing why.

Again, many thanks for all your generous efforts in the past.

Very sincerely yours,

Howard Hoffman
8829 Blue Grass Rd.
Philadelphia, Pa. 19152

REC-35 62-109060-69

17 APR 7 1970

EX-PROC.

COPY FOR CORRESPONDENCE

Mr. T...
Mr. ...
Mr. W...
Mr. ...
Mr. Casper
Mr. Callahan
Mr. Conrad
Mr. Felt
Mr. Gale
Mr. Rosen
Mr. Sullivan
Mr. Tavel
Mr. Soyars
Tele. Room
Miss Holmes
Miss Gandy

Need handwriting sample
4-16-70
GEM/ekp

FD-36 (Rev. 5-22-64)

FBI

Date: 4/7/70

Transmit the following in _____ (Type in plaintext or code)

Via AIRTEL _____ (Priority)

Mohr
Mr. Bishop
Mr. Casper
Mr. Callahan
Mr. Conrad
Mr. Felt
Mr. Gale
Mr. Rosen
Mr. Sullivan
Mr. Tavel
Mr. Soyars
Tele. Room
Miss Holmes
Miss Gandy

TO: DIRECTOR, FBI (62-109060)

FROM: SAC, DALLAS (89-43) (P*)

SUBJECT: ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY,
DALLAS, TEXAS, 11/22/63
MISCELLANEOUS - INFORMATION CONCERNING

OO-DALLAS

Enclosed for the Bureau is the original and one Xerox copy of a letter and the envelope in which it was mailed, postmarked 4/2/70 at Wimbledon, England, from an individual identifying himself as KEITH HOSKINGS.

In this letter addressed to the FBI at Dallas, Texas, HOSKINGS indicates he is going to get the assassination case re-opened if it takes him the next 20 years. He indicates that he joined the Mafia organization in 1948. He also states that the man who really pulled the trigger in the assassination is still at large as well as the individual who planned it and that he knows such individual. He describes the individual as a maniac who wants power and wants to be President.

The writer of this letter states that another assassination is to take place, which is the last of the Kennedys, and apparently is referring to Senator EDWARD M. KENNEDY.

He closes by saying that should we wish to find out more from him we should be discreet in contacting him or he will be a dead man.

REC-58

62-109060-692

9 APR 24 1970

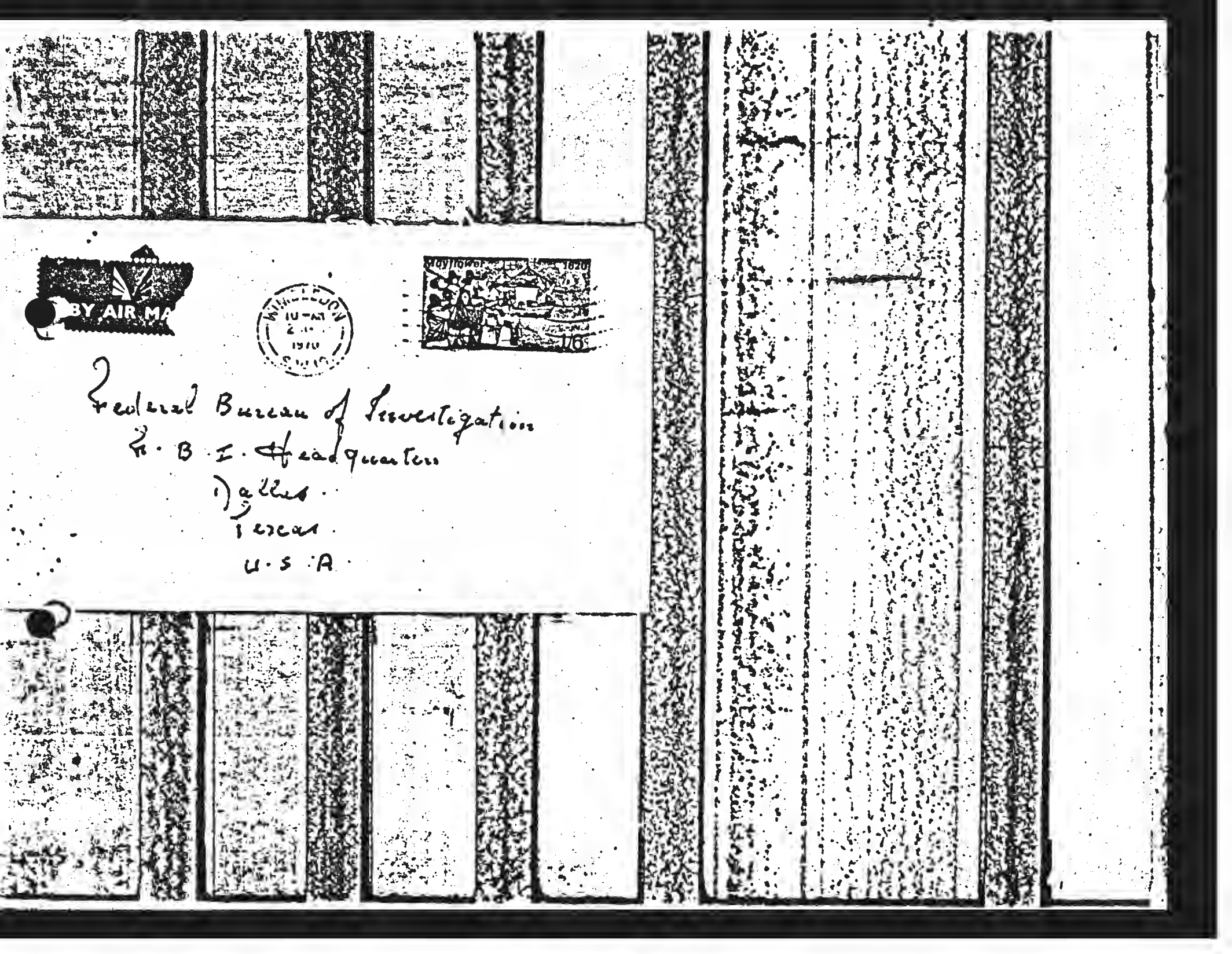
(4)-Bureau (Encl. 2) (R.M.)
1-Dallas
RPG:jls
(5)

2 ENCLOSURES

Approved: Apr 23 1970 Sent _____ M Per _____
Special Agent in Charge

The general indices and the special assassination indices of the Dallas office are negative concerning HOSKINGS.

It is suggested that the Bureau have Legat, London, fully identify KEITH HOSKINGS and submit a letterhead memorandum containing contents of the enclosed letter with the background information for appropriate dissemination, especially in view of the statement that another assassination is to take place.



Federal Bureau of Investigation
F. B. I. Headquarters
Dallas.
Texas.
U. S. A.

16, Gap Road
Wimbledon
S.W 19
London
England

Dear Sir,

I am writing in the hope you will do something, for I promise you that if you don't, if it takes me the next 20 years I am going to get the case of President John F Kennedy re-opened.

In the past your department have been ridiculed in the handling of the case.

Let me make it clear that I am quite prepared to give myself up to you and give you everything you want.

In 1940 I joined the Mafia organization and was introduced by the Supreme Boss who is a Governor of one of your

• States in America. From 1948-1960 I did a lot of gun smuggling, and held many secret documents relating to the security of America. In 1962 I attended a meeting during which the main discussion was the killing of President John F. Kennedy. Now, although you did tape a conversation on how the job relating to the killing was deliberately done for you to hear. But although you caught one man and he was shot by another, up to now the man who really pulled the trigger is at large still, and the man who planned it all, for we knew we could not miss. In 1965 the killer was sent to me for a rest, but last October I sent him back upon

instructions, for another assassin is to take place which is the last of the Kennedy's.

As I said before this is entirely up to you, but I can assure you that there is going to be quite a lot of Killings.

This man is a maniac, he wants power, he wants to be president, and will stop at nothing to get it. In a mans life only worth $20 000 dollars.

All the disturbances that is going on in America, is been back by him.

Should you wish to find out more from me, please be discreet as possible, for if any of this leaks out, I am a dead man.

Yours truly
KEITH HOSKINGS

TRUE COPY

16 Gap Road
Wimbledon
S.W. 19
London
England

Dear Sir,

I am writing in the hope you will do something, for I promise you that if you don't, if it takes over the next 20 years I am going to get the case of President John F. Kennedy re-opened.

In the past your department have been ridecouled in the handling of the case.

Let me make it clear that I am quite prepared to give myself up to you and give you everything you want.

In 1948 I joined the Mafia organization and was inoguarated by the Supreme Boss who is a Governor of one of your states in America. From 1948-1960 I did a lot of gun smuggling, and held many secret documents relating to the security of America. In 1962 I attended a meeting during which the main discussion was the killing of President John F. Kennedy. Now, although you did tap a conversation on Nov the 9th relating to the killing this was deliberately done for you to hear. But although you caught one man and he was shot by another, up to now the man who really pulled the trigger is at large still, and the man who planned it all, for we knew we could not miss. In 1965 the killer was sent to me for a rest, but last October I sent him back upon instructions, for another assanin is to take place which is the last of the Kennedy's.

As I said before this is entirely up to you, but I can assure you that there is going to be quite a lot of killings.

TRUE COPY

31

APR 23 1970

ENCLOSURE 62-109060-6924

TRUE COPY

This man is a maniac, he wants power, he wants to be president, and will stop at nothing to get it. Is a man's life only worth $20,000 dollars.

All the disturbances that is going on in America, is being back by him.

Should you wish to find out more from me, please be discreet as possible, for if any of this leaks out, I am a dead man.

Your's truly,

Keith Hoskings

TRUE COPY

Legat, London

4/15/70

REC-58

Director, FBI

1 - Mr. Raubach
1 - Foreign Liaison
(Cleared telephonically

ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY,
DALLAS, TEXAS, 11/22/63
MISCELLANEOUS - INFORMATION CONCERNING
OO: DALLAS

ReBulet to Legat, London, 4/7/70 captioned, "Mr. Keith Hoskings, 16, Gap Road, Wimbledon, Southwest 19, London, England, Research Matter (Correspondence and Tours)."

Enclosed for Legat, London, are two copies of Dallas airtel 4/7/70 and two true copies of a letter written by Keith Hoskings which was mailed to the Dallas Office. This second communication from Hoskings, is similar in content to his letter furnished to you by referenced communication.

Leads set forth by referenced Bureau letter should be handled promptly so that information concerning Hoskings can be disseminated by the Bureau.

Enclosures (4)

KMR:dvj
(5)

MAILED 20
APR 16 1970
FBI

NOTE: Keith Hoskings, who lived in London, England, directed individual letters to our New York Office and also to our Dallas Office. Hoskings was not identified in Bureau Files and the first communication received from New York was handled by the Crime Records Division. The second communication is being furnished for the information of Legat London. Legat London was instructed in Bulet 4/7/70 to determine appropriate background of the subject and his creditability through established sources and submit results of inquiries in a form suitable for dissemination. U. S. Secret Service has been advised and the Office of Senator Kennedy has been advised due to an alleged threat against him.

Mohr
Bishop
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Callahan
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Tele. Room
Holmes
Gandy

APR 23 1970

57 MAY 1 1970

TYPE UNIT

UNREC COPY FILED IN

April 8, 1970

GENERAL INVESTIGATIVE DIVISION

Attached concerns letter received by our Dallas Office from Keith Hoskings of Wimbledon, England. Hoskings indicates he is going to get assassination of President Kennedy case reopened if it takes 20 years. He claims assassin of President Kennedy still at large as well as individual who planned it, and he knows this individual.

Hoskings also claims another assassination is to take place (last of Kennedys) apparently referring to Senator Edward M. Kennedy. Hoskings concluded if we wish to find out more from him, contact with him should be discreet or he will be a dead man.

There is no record for Hoskings in Bureau or Dallas files. By separate communication, Legal Attache, London, will be furnished full background and requested through sources to have Hoskings located and interviewed thoroughly and develop full background. Secret Service and Senator Kennedy's office being advised of this information.

KMR:jny

May 1, 1970

Crime Records Division

The attached sets forth information from Chief William F. Quinn, Newton, Massachusetts, Police Department, who advised that an article entitled "The Assassination of President John F. Kennedy: The Application of Computers to the Photographic Evidence" by Richard E. Sprague appeared in "Computers and Automation" magazine, May, 1970, issue. This magazine is published by subject, Edmund Callas Berkeley. The article supposedly proves that Lee Harvey Oswald was not the sole assassin of President Kennedy. Boston enclosed a copy of the magazine and a press release relating to this article.

Bufiles disclose Berkeley has been affiliated with communist front organizations and retired from the United States Navy Reserve as a result of these associations. By letter, Sprague requested our assistance concerning research he was conducting on t the assassination of President Kennedy. By letter to him dated 4/1/70, we denied his request. Sprague has assisted individuals who have been critical of the Warren Commission and the FBI.

Suggest General Investigative Division review attached article.

REW:mjl

COPY MADE FOR MR. TOLSON

ENCLOSURE

ENCLOSURE

FBI

Date: 4-29-70

Transmit the following in _____ (Type in plaintext or code)

Via AIRTEL (Priority)

TO: DIRECTOR, FBI (100-376554) ATTN: CRIME RESEARCH

FROM: SAC, BOSTON (100-26616)

RE: EDMUND CALLIS BERKELEY
34 OTIS STREET
NEWTONVILLE, MASSACHUSETTS
INFORMATION CONCERNING

Reference is made to BSlet to Bureau dated 3/6/70 and Boston airtel 4-22-70 captioned as above.

On this date Chief WILLIAM F. QUINN called to advise he had just received a copy of the article he had talked about and which is explained in referenced communications in which BERKELEY had a part.

The Chief advised this was not a book as was his original belief but was a magazine article which is to appear in the magazine "Computers and Automation." This is a magazine of which BERKELEY is the Editor.

There is also attached to the ~~book~~ magazine a copy of a press release to be issued May 1. This magazine article of 32 pages indicates it is an application of computers on the photographic evidence with respect to the assassination of KENNEDY and indicates there were over 50 people involved which included CIA members, the Dallas PD and others.

3-Bureau
1-Boston ENCLOSURE
JLH:maw

REC-35 EX-112

MAY 1 1970

62-109060

NOT RECORDED
133 JUN 3 1970

ENCLOSURE

Approved: _____ Sent _____ M Per _____

55 JUN 8 1970 Agent in Charge

100-376554-24

ORIGINAL FILED IN

BERKELEY has long been known to the Boston Office and has been the subject of many investigations involving Communist fronts. He is anti-police and anti-law enforcement.

Above for the information of the Bureau.

4/7/70

Airtel

To: Legat, London

62-107060

From: Director, FBI

MR. KEITH HOSKINGS
16, GAP ROAD
WIMBLEDON, SOUTHWEST 19
LONDON, ENGLAND
RESEARCH MATTER (CORRESPONDENCE AND TOURS)

[redacted]

MAILED 20
APR 8 1970
COMM-FBI

Enclosures (2)

1 - New York
Tours 3/30/70.
1 - Foreign Liaison Unit

NOTE: Bufiles contain no record of correspondent. Contents of this letter were telephonically furnished to Patrick McFarland, Protective Intelligence Division, U. S. Secret Service, at 3:45 p.m., on 4/2/70, who requested that a copy be furnished his agency by courier. A copy of Mr. Hoskings letter was furnished the Liaison Section of the Domestic Intelligence Division on 4/2/70 for appropriate delivery.

DMW:cfj (7)

Tolson
DeLoach
Walters
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Casper
Callahan
Conrad
Felt
Gale
Rosen
Sullivan
Tavel
Soyars
Tele. Room
Holmes
Gandy

MAIL ROOM TELETYPE UNIT

ORIGINAL FILED IN 62-107060-

16, GAP Road
Wimbledon
S.W. 19
London England

Dear Sir

Before I continue any further, I have taken a bible and sworn to tell the truth, the whole truth so help me God. I also want to make it clear that if you do nothing about this, if it takes me the next 20 years, whether I enter America legally or not, I am going to clear up certain matters. Also I am quite prepared to come over to and give you the Bosses (?) of Mafia.

I am a Mafia, and joined the organization in 1948, although at the time I did not know. I used to do a bit of gun smugling. In 1952 I went to Trinidad where I met Frank Sinatra, and collected Secret documents from him. In 1961 I attended a general meeting of the Mafia, during which time the main discussion was the Killing of John F. Kennedy and Martin Luther King. Although you may have closed your files on the killing of the President, you are wrong, the man who actually killed him, also the man who paid the killer is alive and at this moment preparing to kill Senator E. Kennedy and Mr. Nixon. What does your department stand for, it stands for justice, do you really want to see Justice done, if so, I am prepared to come over to American (you pay my passage) give you the Supreme Boss, and men who is responsible for all those killings and for the present disturbances. Is a man's life worth only $20,000 dollars. You may say to yourself why after all these years to write or what does he hope to gain. Well I will tell you. I don't want anything from you or your government, and the only thing I will gain is peace of mind. I have had no peace of mind for the last 9 years, and in some ways I feel that I have robbed three women of their husbands, and children of their father. So once more if you want to see justice done, and to give peace of mind soon, send for me as quickly as possible, if not you are going to have two more Major Killings on your hands, and two more widows. I am taking a very big risk in even writing you, much more in willing to come to America, for if any of this leaks out I am a dead man, for you know what the Mafia is like, so if you do want my evidence and send for me (for that is the only way I will give you and names or evidence), please do it as secretly as possible.

Your's faithfully

Keith Hoskings

COPY:nm

Mr. Mohr
Mr. Bishop
Mr. Casper
Mr. Callahan
Mr. Conrad
Mr. Felt
Mr. Gale
Mr. Rosen
Mr. Sullivan
Mr. Tavel
Mr. Soyars
Tele. Room
Miss Holmes
Miss Gandy

NOT RECORDED
133 APR 27 1970

ORIGINAL FILED IN 64

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. DeLoach

DATE: April 13, 1970

FROM : A. Rosen

1 - Mr. DeLoach
1 - Mr. Rosen
1 - Mr. Malley
1 - Mr. Shroder
1 - Mr. Raupach
1 - Mr. Bishop
1 - Mr. Sullivan

SUBJECT: SHERMAN H. SKOLNICK, PLAINTIFF
VERSUS
NATIONAL ARCHIVES AND RECORDS SERVICE, DEFENDANT
INFORMATION CONCERNING

Sherman H. Skolnick has filed a civil action in U. S. District Court, Northern District of Illinois naming the National Archives and Records Service as defendant. Basically, Skolnick's suit claims the National Archives has suppressed documents, papers and exhibits showing an alleged plot or plots to kill President Kennedy existed in Chicago on 11/2/63 which involved Thomas Arthur Vallee and was interwoven with information in the possession of Abraham Bolden, a former Secret Service Agent, who was not allowed to testify before the President's Commission regarding this matter. Skolnick also seeks to have the Warren Commission Report declared void because of this alleged plot. Skolnick's complaint included several pages from our investigative reports concerning Thomas Arthur Vallee which were apparently obtained from the National Archives. (Publicly available

Bureau files reveal numerous references to Skolnick wherein he has filed numerous suits in U. S. District Court (USDC) at Chicago. In November, 1967, Federal Judge William J. Campbell, USDC, Chicago, advised our Chicago Office that Skolnick, [redacted] had filed all types of law suits before the U. S. District Court. Judge Campbell said he had created an executive committee to review law suits filed and to eliminate those which obviously have no merit. Skolnick, with others, was arrested 9/18/69 for violation of USDC order which banned electronic news equipment and cameras from the interior, sidewalks, and plaza of the Federal Building in Chicago. This was in connection with the trial of the eight individuals concerning their involvement at the Democratic National Convention in August, 1968. Apparently, Skolnick is now taking a new tangent by attacking the validity of the Warren Commission findings.

KMR:dvj
(8)

CONTINUED - OVER

APR 17 1970

56 MAY 1 1970

NOT RECORDED
133 APR 21 1970

ORIGINAL FILED IN

A. Rosen to Mr. DeLoach memorandum
RE: SHERMAN H. SKOLNICK, PLAINTIFF

Skolnick's suit alleges Thomas Arthur Vallee was involved in the plot to kill President Kennedy on 11/2/63, at Chicago. This incident was thoroughly investigated by U. S. Secret Service when it occurred. Our investigation subsequent to the assassination of President Kennedy developed there was no relationship whatsoever between Vallee and the assassination. U. S. Secret Service determined through investigation that Vallee had weapons and ammunition in his possession on 11/2/63 at Chicago where President Kennedy was to appear and he was arrested by the Chicago Police. Rumors developed by the "press" in Chicago when this occurred indicated four individuals were arrested but this was not true. Later this crept into the assassination investigation. It was determined Vallee was employed the full day of the assassination and there was no link between Vallee and Lee Harvey Oswald whatsoever.

All information pertaining to this incident was furnished to the President's Commission. In attempting to prove there was a plot, Skolnick apparently got only portions of our complete report from the National Archives which did not fully reveal the scope of the entire incident and he therefore drew conclusions a plot existed. He has attempted to draw into the so-called plot, Abraham Bolden, a former Secret Service Agent, who attempted to sell Secret Service data to a Chicago hoodlum, which led to his arrest on 5/9/64. Bolden was tried and convicted for this offense and received a six-year sentence Skolnick claimed Bolden had evidence that a member of the Secret Service had a part in the planning of the assassination. In this respect, Bolden talked to Mark Lane, a well-known and severe critic of the President's Commission regarding this matter. What Bolden told Lane was basically the same information relating to the alleged plot in Chicago on 11/2/63. Thereafter, Lane attempted to inject this into the inquiry being conducted at New Orleans, Louisiana, by James C. Garrison, during his investigation of the assassination. This information regarding Bolden and Lane's meeting was previously furnished to the Attorney General. It should be noted the President's Commission requested us to interview Bolden which was done on 5/25/64. Bolden made no statement and his attorney stated Bolden possessed no information concerning the assassination and Bolden agreed to his attorney's comment.

ACTION: (1)Since there is no substance to Skolnick's complaint, no further action is being taken.

(2)A copy of Chicago's airtel which furnished this complaint as well as a copy of the complaint will be furnished to Dallas for information.

Assistant Attorney General
Criminal Division

April 20, 1970

Director, FBI

1 - Mr. W. A. Branigan
1 - Mr. T. N. Goble

DEPOSITIONS IN THE GORDON NOVEL CASE

Reference is made to your letter dated March 12, 1970, your reference WW:MHH:al, 233279-220, captioned as above.

For completion of your files, there is enclosed one copy of the deposition of Special Agent Roger A. Bombardier made on March 13, 1970, in New Orleans. Copies of the deposition were furnished to our New Orleans office by Assistant United States Attorney Richard M. Olsen of the Eastern District of Louisiana.

Enclosure

62-113030

1 - 62-109060 (Assassination of President Kennedy)

TNG:mkl:sal
(6)

NOTE:

Novel is suing HHH Publishing Company for libel arising from "Playboy" magazine interview of New Orleans District Attorney Jim Garrison. Novel, in his complaint in the libel case, made false and untrue allegations about his relationship with the FBI, and he specifically mentioned SA Bombardier. HHH Publishing Company asked for deposition by SA Bombardier, and Department agreed with us that Bombardier should give one to refute falsehoods of Novel. Bombardier has done this, and Department should have copy for its files.

ORIGINAL FILED IN 62-109060

DUPLICATE YELLOW

62-109060

NOT RECORDED
145 APR 22 1970

57 APR 30 1970

FD-36 (Rev. 7-22-64)

FBI

Date: 4/7/70

Transmit the following in _____ (Type in plaintext or code)

Via AIRTEL _____ (Priority)

Mr. Tolson
Mr. DeLoach
Mr. Walters
Mr. Mohr
Mr. Bishop
Mr. Casper
Mr. Callahan
Mr. Conrad
Mr. Felt
Mr. Gale
Mr. Rosen
Mr. Sullivan
Mr. Tavel
Mr. Soyars
Mr. Trotter
Miss Gandy

TO: DIRECTOR, FBI

FROM: SAC, CHICAGO

SUBJECT: SHERMAN H. SKOLNICK, PLAINTIFF
VS.
NATIONAL ARCHIVES AND RECORDS
SERVICE, DEFENDANT
INFORMATION CONCERNING

Enclosed for the Bureau is a xerox copy of Complaint Number 70C790. Also enclosed for the Bureau are pertinent Appendixes, namely D, F, G, H, HH, I, J and K. It is noted that Appendix HH is in reality a typed copy of Appendix H. Also enclosed for the Bureau are Appendix A, B, C and E which are a part of the original complaint but have no pertinence to this matter inasmuch as they are not FBI documents.

For the information of the Bureau, SA JOSEPH NOONAN, U.S. Secret Service, Chicago furnished the Chicago Office on 4/7/70 a xerox copy of a complaint filed by SHERMAN H. SKOLNICK before the U.S. District Court, Chicago, on 4/6/70. A xerox copy of this complaint is being furnished as an enclosure to the Bureau for their information.

Secret Service, Chicago, furnished a xerox copy of the complaint to the FBI Office inasmuch as they had noted that Appendix F, G, H, I, J and K appeared to be xerox copies of FBI communications.

SHERMAN H. SKOLNICK is described on Page 1 of the complaint as the Chairman of the Citizens Committee to Cleanup the Courts and in addition, a part time instructor at Columbia College, Chicago. On Page 3 of the complaint the plaintiff

2 - Bureau (Encls 13)
1 - Chicago
KWK:BJD
(3)

NOT RECORDED
133 APR 21 1970

APR 17 1970

113450

ENCLOSURE

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

70 MAY 12 1970

ORIGINAL FILED IN

states that Appendix F, G and H were documents which were recently released by the National Archives and Records Service. On the above page, the defendant states that Appendix I, J and K are copies of FBI reports with no further explanation as to how they were obtained.

Xerox copies of Appendix F, G, H, I, J and K are being furnished to the Bureau for their information. Set out below as a result of a check of the files of the Chicago Office, is the date of the report which included the information as contained in the Appendix exhibits.

Appendix D. This item is an FBI arrest record dated 11/?/63 concerning THOMAS ARTHUR VALLEE.

Appendix F. An FD-302 dated 12/10/63 which is contained in the report of SA DENNIS W. SHANAHAN at Chicago dated 12/10/63. This report which was entitled "LEE HARVEY OSWALD, aka, IS-R-CUBA" was furnished to the Bureau for their file 62-109060.

Appendix G. This item is Page 2 of the report of SA DENNIS W. SHANAHAN dated 2/12/64 at Chicago. The report entitled "LEE HARVEY OSWALD, aka, IS-R" was furnished to the Bureau for their file 62-109060.

Appendix H. This item is Page 2 of the report of SA DENNIS W. SHANAHAN dated 2/5/64 at Chicago. The report entitled "LEE HARVEY OSWALD, aka, IS-R" was furnished to the Bureau for inclusion in their file 62-109060.

Appendix I. This item is Page 7 of the report of SA LEO E. PEDROTTY dated 12/2/63 at Chicago. The report entitled "LEE HARVEY OSWALD, IS-R" was furnished to the Bureau for inclusion in their file 62-109060.

Appendix J and K. These items are FD-302 which were Pages 8 and 9 of the report of SA LEO E. PEDROTTY dated 12/2/63 at Chicago described above.

The above is being furnished to the Bureau for their information inasmuch as FBI communications are included as Appendixes to the complaint and it is possible that this complaint may receive widespread publicity through the various media.

DOCKETED 790 17

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

SHERMAN H. SKOLNICK, plaintiff,

vs.

NATIONAL ARCHIVES AND RECORDS SERVICE, defendant.

Civil Action FILED

No. 68 C 6 [illegible]

COMPLAINT.

The plaintiff, SHERMAN H. SKOLNICK, complains against the defendant, NATIONAL ARCHIVES AND RECORDS SERVICE, and alleges:

1. That this Court has original jurisdiction of this action under Title 28, United States Code, Section 1361.

Also, that this Court has jurisdiction of this action under the Public Information Section of the Administrative Procedure Act, Title 5, United States Code, Section 552 as amended by 81 Stat.54 (1967).

Relief is also sought pursuant to the Federal Declaratory Judgment Act, Title 28, United States Code, Section 2201 and 2202.

2. The plaintiff, Sherman H. Skolnick, resides at 9800 South Oglesby Avenue, Chicago, Illinois. Plaintiff is Chairman of the Citizens' Committee to Clean Up the Courts, a not for profit organization whose office is at his home. Skolnick is also a part time instructor at Columbia College, 540 North Lake Shore Drive, Chicago, Illinois. He teaches classes in Civic Investigati and he and some of his students, together with other persons, have been working to investigate, document, and research Chicago -area type angles relating to the assassination of President John F. Kennedy.

3. Plaintiff does not submit this suit to be heard or adjudicated by any of the present federal District Judges of the Northern District of Illinois, for the reason that the subject matter herein relates, in part, to the case of United States vs. Abraham Bolden, No. 64 CR 324, in this District, wherein a United States Secret Service agent was imprisoned on admitted perjured testimony.

Skolnick fears that the present judges of this District would proceed in the instant case in secret and in camera, without open court proceedings and without notice to this plaintiff or hearing, to arbitrarily dispose of this case, without fair play and due and orderly processes of law.

4. The plaintiff does not invoke the jurisdiction or power of any judge, court Executive Committee, or other such group or person, who intend, or would intend, to determine and adjudicate this case in secret and in camera. Insofar as any such judge, court Executive Committee, or other such person or group would purport to proceed nevertheless to determine this case in secret, as aforementioned, plaintiff would withhold this Complaint from any such judge or group, and declare them to be trespassers in the premises of this Complaint.

5. Among the data compiled by plaintiff and his staff researchers, and students, associates others assisting him and them, including information gathered from documents and interviews, are the following:

(A) That prior to the assassination of President Kennedy in Dallas, Texas, November 22, 1963, there was a plot or plots to assassinate the President in Chicago, Illinois, on or about November 2, 1963, when the President was expected to be in attendance at the Army-Air Force football game in Soldiers' Field, to be held that same day, November 2, 1963.

Among those involved in the plot, or plots, were a person known as Thomas Arthur Vallee, a possible double for a person known as Lee Harvey Oswald; and three or four others including Lee Harvey Oswald, or person using such name, and a Mr. Bradley and a Mr. Gonzalez.

(B) Keeping Vallee under surveillance and carrying out other duties related thereto · U.S. Secret Service agents. Prior to the scheduled visit of the President, Acting Supervi Martineau, Secret Service Division, Chicago, received a personal call from the Chief of t U.S. Secret Service, James J. Rowley,. Rowley told Martineau that the Secret Service had of an assassination plot, or plots, supposed to take place during the President's coming vis Chicago. According to Rowley, four men had come or would come to Chicago to participat

Martineau called in all men in his charge in Chicago and told them of Rowley's call. also informed them the following as to this matter:

(a) there were to be no written reports; (b) nothing was to be sent by TWX; (c) Marti was to report only by phone to Rowley, personally; (d) no file number was to be given this case.

All Secret Service agents in Chicago were shown four photos of the men allegedly inv in the plot or plots. Shortly before the scheduled visit of the President, Martineau assembl some of his agents to discuss the results of the investigation. Among others at the meetin Martineau's office were the following secret service agents: James Griffiths, Robert J. Mc Thomas D. Strong, and Steven B. Maynard. As a result of surveillance, the plot, or plots, was thought to be genuine. The four men appear to have come to Chicago and were staying a northside "landlady", at or about 1200 North, near a police station.

(C) The plot, or plots, or portion thereof, was or were aborted by the activities of Daniel Groth, who is shown in a Chicago Police Department Report as being a witness again Vallee, who was stopped two blocks from his purported residence. A copy of said Report attached hereto and made a part hereof as Appendix A. Also attached hereto and made a pa hereof as Appendix B, C, and D, are three pages from the so-called Potential Assassin Fil the Chicago Police Department. Said File on Vallee has disappeared and re-appeared from to time, and the photo attached thereto of Vallee is gone.

The purported Police Report, App.A, has no narrative of the purported arrest which succeeded in aborting the plot, or portion thereof, to the benefit of the potential assassin or assassins. Said Report shows discrepancies among others, as follows:

(a) the alias column shows M.1. (Rifle), which may have been a password or form of identification;

(b) there appear to be unexplained differences as to the police districts, whether Area or 20th District.

Daniel Groth was known to often "hang around" the U.S. Secret Service office in Chicago. W Groth was actually in the capacity of private citizen-witness, or Chicago Policeman, or som form of federal agent or operative, remained a mystery to certain Secret Service agents.

(D) News coverage of the November 2, 1963, plot or plots was inexplicably withheld o deferred until after November 22, 1963, when the assassination of the President occurred in Dallas. Immediately after the assassination, the Secret Service in Chicago and nationwide d nothing except work on the assassination problem. On the night of November 23, 1963, one the secret service agents in Chicago received a call at home from a secret service agent in Dallas who wanted "instant information" on the following: (a) Klein's Sporting Goods Compan and the Oswald rifle, and (b) whether Oswald received money from Chicago as alleged in a Chicago newspaper.

(E) According to a City of Dallas jail document, a person known as Lee Harvey Oswald made a collect call, November 23, 1963, to John Hurt, Raleigh, North Carolina; one of two c he made from said jail. A copy of said document is attached hereto and made a part hereof a Appendix E. Later investigation shows that the name was John David Hurt, whose address is 201 Hillsboro, Apt. 4, Raleigh, North Carolina

Intelligence Corps. Plaintiff will offer additional data on John David Hurt at a trial on the merits of this case.

On November 24, 1963, Acting Supervisor Martineau called one of his secret service agent and asked him if he had ever heard of a John Heard, phonetically pronounced. Martineau asked the agent to "pull" all cards marked "Heard". There were approximately 100 such "Heards". It is believed that the Secret Service arrested a John Heard at that time; said name phonetically pronounced.

(F) Normally, Secret Service Identification Cards are re-issued or re-validated only when agents go to Washington, D.C. Agents normally identify each other in public by lapel pins. However, very soon after the assassination of the President in Dallas, all agent identification cards of Chicago agents had to be turned in, in Chicago, and new ones issued. Ordinarily, such cards are never out of agents possession. This apparently was a check to see if all agents had their cards, because there were reports that in relation to the assassination, someone had flashed a secret service identification card.

6. Defendant, National Archives and Records Service, without explanation, arbitrarily suppresses or releases documents, papers, and exhibits relating to the events, or some of the events, herein described. Although having kept the same suppressed for some six years, defendant recently released certain documents relating to the events, or some of the events, herein described. Copies of said papers are attached hereto and made a part hereof as Appendix F, G, and H; Appendix HH is a verbatim rendering of H because of the poor legibility of H.

Although the person known as Thomas Arthur Vallee could be mistaken for the person known as Lee Harvey Oswald, Appendix F states, inter alia, "He advised further that no individual by the name of OSWALD was arrested on such charge on November 2, 1963". (Emphasis added).

7. Attached hereto and made a part hereof as Appendix I, J, and K, are copies of F.B.I. reports.

8. After the events hereinbefore described in paragraphs 5 through 5(F) preceding and inclusive, Secret Service agent Abraham Bolden, with his knowledge of Secret Service laxity, insobriety, and other matters in respect to the assassination, discussed the possibility of giving testimony in one form or another to the President's Commission on the Assassination of President Kennedy, known commonly as the Warren Commission, established November 29, 1963. Bolden discussed this at length with his secret service partner, Conrad Cross, during the Spring of 1964. Bolden believes Cross must have "ratted" on him and that the Secret Service knew of it when Bolden left Chicago for Washington, D.C., for Secret Service School, on May 17, 1964.

When Bolden arrived in Washington, he went to the White House and tried to phone J. Lee Rankin, General Counsel of the Warren Commission. Bolden could not reach him. His so-called "babysitter", agent Garry McCloud "dogged him" carefully. Also, McCloud received a phone call at 2:30 a.m., on May 18, 1964, at the hotel. On May 18, 1964, at approximately 2:00 P.M. E.S.T., two secret service agents, Special Agent in Charge Howard Andersen, Washington, D. C., and Inspector Gerard McCann, stated to Bolden that he was needed immediately in Chicago, for the purpose of participating in an investigation. Bolden was at that time in Washington attending the Secret Service School having arrived there on May 17, 1964 and acquired a room in the Willard Hotel. On the pretext of "participating in an investigation", Bolden was flown to Chicago with McCloud.

Upon arriving in Chicago, O'Hare Airport, at approximately 4:00 P.M. C.S.T., May 18, 1964, Bolden was met by Special Agent in Charge, Richard A. Jorday, who re-stated the pretext used by agents Andersen and McCann to Bolden. Bolden was escorted to the office of the U.S. Attorney, Northern District of Illinois, [illegible]

Bolden was not allowed to leave the room for any purpose even though Bolden requested to make a telephone call to his wife. At approximately 6:00 P.M., Special Agent in Charge Maurice G. Martineau, Chicago office, entered the room and charged Bolden with having attempted to sell a government document in respect to a counterfeiting case.

9. The Warren Commission was established November 29, 1964; the Warren Commission Report was published September 27, 1964. Between those dates, Abraham Bolden was brought back to Chicago on pretext; indicted, convicted, and sentenced to six years in federal prison. He was not allowed to appear before the Warren Commission.

The main witness against Bolden later confessed perjury, but Bolden nevertheless was kept falsely imprisoned. Bolden served 39 months in jail and was recently let out on probation, with about 2-1/2 years to go. Implicit in the probation is the understanding that Bolden remain silent or be dragged back to prison.

While in jail, Bolden spoke with a critic of the Warren Commission, Mark Lane, author of the book, "Rush to Judgment". Thereafter, Bolden was placed in the so-called "snake pit" for several weeks of solitary confinement. According to Bolden, he was pumped full of drugs and put through something known as "Room 12-S". Bolden has told certain persons that he has written out a 50-page long-hand report and sent it to a friend for public disclosure upon his death.

From time to time, Bolden has made the statement: "I have evidence that a member of the Secret Service had a part in the planning of the assassination. Someone, an agent, could be indicted on it". More data will be brought out by plaintiff in a trial on the merits.

10. While Bolden was in prison, his family had been subjected to a number of serious threatening activities: an attempt was made to bomb and/or burn his home, at 7632 South Sangamon, Chicago, Illinois; his garage was burned down; a shot was fired through the window of his home; his wife has been followed upon occasion and a brick has been heaved through his wife's car window.

11. The defendant's National Archives and Records Service's, suppression of documents, papers, and exhibits, showing the plot, or plots, to kill President Kennedy in Chicago, and its relationship to the assassination in Dallas, is interwoven with Bolden's attempt to appear before the Warren Commission. Instead of being allowed to testify before the Warren Commission, he was instead falsely imprisoned. Acting Supervisor Maurice G. Martineau and others in the Secret Service have been instrumental in having Bolden falsely imprisoned to silence him and destroy the possibility of his testimony before the Warren Commission.

12. Defendant National Archives and Records Service, is suppressing the following in relation to the events herein described:

(A) An interview, November 3, 1963, by a U.S. Government official with the person known as Thomas Arthur Vallee, as to Vallee's relationship with a person known as Lee Harvey Oswald.

(B) The documents showing that the 1962 Falcon auto driven by Vallee in Chicago, November 2, 1963, had license plates linked or registered in the name of Lee Harvey Oswald. Said license plates being New York 311orf. In addition, a "freeze" on said license plate information is being kept by the F.B.I. at the request of the Secret Service.

(C) Documents, papers, and exhibits relating to John David Hurt, or phonetically pronounced John Heard, and his relationship to Lee Harvey Oswald, or person or persons known by such name.

(D) Interviews by U.S. Government officials with persons connected with Klein's Sporting Goods Company, Chicago, in relation to the fact that Klein's had no receipt for the gun allegedly sent to an alleged Oswald alias.

13. The defendant, National Archives and Records Service, owes a duty to plaintiff not to suppress documents, papers, and exhibits gathered and kept at public expense. Insofar as any law, regulation, rule, pronouncement, or proclamation arbitrarily purports to authorize such suppression, it is unconstitutional, as denying plaintiff orderly processes of law to obtain documents, papers, and exhibits gathered and kept at public expense.

Three documents relating to the Chicago plot or plots to kill President Kennedy, November 2, 1963, have been arbitrarily and capriciously released. Appendix F, G, and H. Other papers, documents, and exhibits relating to the Chicago plot or plots are arbitrarily and capriciously suppressed, in violation of plaintiff's federal constitutionally guaranteed right to orderly processes of law, and in contravention of plaintiff's rights under the Public Information Section, 5 U.S.C. Sec. 552 as amended.

14. The Warren Report was calculated to allay public concern with assassination conspiracy, when, in fact, there was a plot, or plots, in Chicago, to assassinate President Kennedy, November 2, 1963, three weeks before Dallas.

WHEREFORE, in view of the aforesaid, the plaintiff, SHERMAN H. SKOLNICK, asks:

(a) THat the Report of the President's Commission on the Assassination of President John F. Kennedy, commonly known as the Warren Commission Report, be declared void; said Report was calculated to allay public concern with assassination conspiracy when, in fact, defendant National Archives and Records Service, is suppressing or abitrarily releasing piecemeal, documents showing a Chicago plot or plots to assassinate President Kennedy, November 2, 1963.

(b) That all suppressed documents, papers, and exhibits in relation to the Chicago plot or plots to assassinate President Kennedy, some of which papers are hereinbefore referred to, be ordered to be released by defendant National Archives and Records Service to plaintiff or his agent; or, in the alternative, that all suppressed documents, papers, and exhibits, suppressed by defendant and being in relation to the assassination of the President, be released to plaintiff or his agent.

(c) That insofar as any law, regulation, rule, pronouncement, or proclamation arbitrarily purports to authorize such suppression as hereinbefore compdained of, it be declared unconstitutional, as denying plaintiff orderly processes of law to obtain documents, papers, and exhibits gathered and kept at public expense.

(d) That all suppressed documents, papers, and exhibits relating to John David Hurt, or phonetically pronounced John Heard, suppressed by defendant National Archives and Records Service, be ordered to be released to plaintiff or his agent; and said papers, documents, and exhibits showing his relationship to the person or persons called by or known by the name of Lee Harvey Oswald.

(e) That all suppressed documents, papers, and exhibits in relation to interviews by U.S. Government officials with persons connected with Klein's Sporting Goods Company, Chicago in relation to the fact that Klein's had no receipt for the gun allegedly sent to an alleged Oswald alias, suppressed by defendant, be ordered to be released to plaintiff or his agent.

Sherman H. Skolnick

Sherman H. Skolnick, plaintiff, pro se.

Sherman H. Skolnick,
plaintiff, pro se,
9800 South Oglesby Avenue

VALLEE THOMAS ARTHUR

Wilson & Damen | 20 | 20 | Street | A.K.A. (LAST) No.1. (Rifle) | B 323797 | C.B. NO. 1393986

		X	Sob		X		Knife		X	Med	

RESIDENCE ADDRESS: 4614 N. Paulina

WHERE EMPLOYED (OR SCHOOL)	OCCUPATION	MARKS, DEFORMITIES
I.P.P. Printing Co	Lithographer	None

AGE	DATE OF BIRTH	SOCIAL SECURITY NO.
33	15 Nov 33	327 30 4015

VEHICLE DESCRIPTION	LICENSE NO.	DISPOSITION
62 Falcon	311 N.Y.	To Owner Care

HEIGHT	WEIGHT	EYES	HAIR	COMPLEXION
5'6	155	Blue	Brn	Med

COMPLAINANT'S NAME-SEX-RACE, YEAR OF BIRTH	(ADDRESS)	PLACE OF BIRTH	NATIONALITY
SCHURLA, Peter M W 1934	5700 S. Cottage Grove	Chicago Ill	American

WITNESS TO ARREST (NAME-SEX-RACE, YEAR OF BIRTH)	(ADDRESS)	REASON ARRESTED	DATE & TIME
Groth Daniel M W 1929	5700 S.Cottage Grove	Traffic Violation & CCW	2 Nov 63 0910

PERSON NOTIFIED (NAME)	NOTIFIED BY (NAME)	DATE & TIME	PHOTO	FORWARDED	DATE & TIME
C A S	Groth	2 Nov 63 1000	YES	Ch 38 Sec 24-1-2	2 Nov 63 1530 Hrs.

RIGHT INDEX PRINT

PRISONER TRANSPORTED TO: 20 TH. District | BY: Beat 4299 | STAR NO. | HOW TRANSPORTED: Groth & Co | DATE & TIME: 2 Nov 63 1315 | APPROVAL OF CHARGES

I.R. NO.	RELIGION	LIVING WITH	NAME	PHONE NO.	NOTIFIED BY	STAR NO.	DATE & TIME
Una							

STATUS	DATE & TIME REFERRED	ARREST	JUVENILE CODE	AGENCIES ACTIVE WITH CHILD	PARENTS	MOTHER	FATHER
						LIV. DEC.	LIV. DEC.

PREVIOUS OFFENSE	DATE	DISPOSITION	PREVIOUS OFFENSE	DATE	DISPOSITION

NARRATIVE:

Prints & Photoed 2 Nov 63 1330

This is a Task Force Area 1 On View Arrest-

Arrested for traffic violation and Carrying concealed weapon.

ARRESTING OFFICER WILL APPEAR IN COURT

ARRESTING OFFICER	STAR NO.	UNIT NO.	BOOKING OFFICER	STAR NO.	UNIT NO.	PRISONER SEARCHED BY	STAR NO.	UNIT NO.	PROPERTY RECEIPT
Schurla	9651	T F A 1	Robert Minaglia	6057	20	Robert Minaglia	6057	20	B 48016

DATE & TIME - BOND	COURT BRANCH/NO.	TRIAL DATE	CHARGES CHANGED TO	BY	JUDGE'S NAME	FINAL DISPOSITION
Nov 6 1730	27	6 Nov 63				

BY WHOM TAKEN

ENTIFICATION SHEET/ CHICAGO POLICE DEPARTMENT
IDENTIFICATION SECTION

DATE NOV - 24-63

OUP PHOTO'S
Nov 63

PDC
5 U 18
18 Ra

REF.

F. NUMBER

L. H.

R. H.

CRIMINAL CLASSIFICATION
☐ SEX ☐ BUR.
☐ ROBB. ☐ NARC.
☐ OTHER

E, Thomas Arthur

A.K.A.

NICKNAME

ESS
N. Paulina

AGE	WEIGHT	HEIGHT	BUILD	COMPLEXION	HAIR	EYES	CHIN	TEETH
33	155	5 ft. 6 in.	Light / Medium XX / Heavy	Med.	Brn.	Blue		

TY
h Amer.

DATE OF BIRTH
15 Nov 33

PLACE OF BIRTH
Chicago, Ill.

LEFT ARM

RIGHT ARM

FACE

NECK

OTHER

N
Lithographer

SOCIAL SECURITY NUMBER
327 30 4015

EMPLOYER
I.P.P. Printing Co.

ERVICE

MARRIED Yes / No

CHILDREN

NEAREST RELATIVE

O. MEASURED & PHOTO BY

DISTRICT

L DATA

APPENDIX B

CITY OF CHICAGO / DEPARTMENT OF POLICE 1121 South State Street Chicago, Illinois 60605 WAbash 2
IDENTIFICATION SECTION

CRIMINAL HISTORY OF VALLEE, Thomas Arthur M/W

DATE 2 Nov 63

DATE OF BIRTH 15 Nov 33

IR# 49482

FPC# 5 U 16

16 R a

NAME & ADDRESS	C.B. NO.	DATE OF ARREST	ARRESTING OFFICER & DIST.	CHARGE	DISPOSITION
Thomas Arthur, VALLEE	*	-25 May 63, PD Knoxville, Tenn.,		DWI,	Rec. Dri
Thomas Arthur, VALLEE 4611 N. Paulina	1393986	-2 Nov 63, Schurla, TFA		(20),	Traf. Viol. & 28 Jan 64, UUW, supervision to probation depar till 6 Jan. 65 Judge Nash.

APPENDIX (

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
WASHINGTON 25, D.C.

11-1-[illegible]
(38[illegible] 1-38)

J. Edgar Hoover
Director

The following FBI record, NUMBER 677 475 B , is furnished FOR OFFICIAL USE ONLY

CONTRIBUTOR OF FINGERPRINTS	NAME AND NUMBER	ARRESTED OR RECEIVED	CHARGE	DISPOSITION
PD Knoxville Tenn.	Thomas Arthur Valloe #58590	5-25-62	DWI, Exc driv	
PD Chgo Ill	Thomas Arthur Valloe #49437	11-2-62	CC Weapon Unlf	

APPENDIX D

Information shown on this Identification Record represents data furnished FBI by fingerprint contributors. Where final disposition is not shown or further explanation of charge is desired, communicate with agency contributing those fingerprints.
Notations indicated by * are NOT based on

Collect

CITY OF DALLAS

LONG DISTANCE MESSAGES

Phone No. JAckson 1-1111 Time _____ Minutes _____ Amount _____

Person calling Asst. Chief Curtis Dept. _____

To Kennedy, N. C. 834-7430

Person called John Heist of 533-1253

Date 11-23-63 Ja (Ca)

Received Payment L. Summers

With AC 919

APPENDIX E

STATE OF ILLINOIS)

[illegible], Executive Editor of the Chicago Daily News, [illegible] on November 2, 1963, [illegible] reporter [illegible] and [illegible] with [illegible] [illegible] [illegible]

CG 62-6115

DETAILS: AT CHICAGO, ILLINOIS

Larry Fanning, Executive Editor, "Chicago Daily News", had previously advised that on November 2, 1963, four men were reported arrested in Chicago, Illinois and charged with carrying a concealed weapon. One of these individuals, according to Fanning's source, was believed to be the subject Oswald.

SAC Marlin W. Johnson has periodically maintained contact with Mr. Fanning in an effort to determine Fanning's sources for this story. On January 21, 1964, Mr. Fanning advised SAC Johnson that he had looked into the matter thoroughly and there was absolutely no truth whatsoever in the story. He stated he could not tell Mr. Johnson exactly how the story originated.

On January 14, 1964, Thomas Valle [sic]appeared before Judge Gordon B. Nash, Branch 46, Municipal Court, Chicago, Illinois, charged with "Unlawful Use of Weapon". Valle [sic] had been arrested on November 2, 1963, for a traffic violation, at which time arresting officers observed a hunting knife lying on the front seat of Valle [sic] 's car. During the interrogation of Valle [sic] by Chicago Police officers, Valle [sic]revealed he was very much against the present administration. On the date of trial, Valle [sic] through his attorney, Peter Deorges, entered a plea of "not guilty". His attorney submitted a motion to suppress the evidence on the grounds that the weapon in question was found in an illegal search of Valle[sic]'s vehicle. During the course of testimony by the arresting officer Peter Schurla, Schurla stated that the weapon was observed on the passenger side of the front seat. Valle [sic]in testifying on his behalf stated that he maintained this weapon for protection purposes and kept the weapon on the front seat of his car. Judge Nash denied the motion to suppress the evidence. On the conclusion of hearing evidence Judge Nash found Thomas Valle [sic] guilty of the charge of Unlawful Use of Weapon, and ordered a $5.00 suspended fine on the traffic violation. At this time Judge Nash granted a continuance for a hearing on the sentence and set the date for sentencing as January 28, 1964. Valle [sic] was released on $100.00 bond.

APPENDIX HH

Date November 2, 1963

Other Individuals and Organizations Involved or Interviewed

[redacted], who is employed with NBC News, Chicago, Illinois, was interviewed at his place of residence, 1211 Michigan Avenue, Evanston, Illinois, on November 22, 1963, at which time HESTER advised that he was born and raised in New York City and has only resided in the Chicago area for the past five years. After being appraised of the situation concerning the Bureau interests in the assassination of President KENNEDY, Mr. HESTER stated that he would be of any assistance and would advise of any information he possessed. He stated that a few days ago his superior, BILL CORLEY, News Manager, for NBC News, Midwest Bureau Merchandise Market, Chicago, Illinois, asked if he had any contacts in New York City by which information concerning a New York license plate could be obtained. CORLEY, knowing that HESTER used to be a native of New York, requested that he obtain a listing on New York license plate 31.ORF, inasmuch as this automobile had some connection with OSWALD and the assassination. HESTER stated that he subsequently contacted his father-in-law, HUCK LARKIN, who resides at 5009 17th Street, Maspeth, New York, to see if he could be of assistance in obtaining information concerning the license plate. HUCK LARKIN thereafter advised him that the information was "frozen" and that only the FBI could obtain this information.

Mr. HESTER further stated that he was not aware of the background concerning why or how this license plate was connected with OSWALD, but that his superior, Mr. CORLEY, would probably know the circumstances surrounding the license plate and its connection. He requested that the FBI contact Mr. CORLEY for any further information.

On 11/22/63 at Evanston, Illinois File # CG-3115

by [redacted] Date dictated 11/24/63

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

APPENDIX I

FEDERAL BUREAU OF INVESTIGATION

Date 12/2/63

MR. BILL CONLEY, News Manager, National Broadcasting Company (NBC) News, Merchandise Mart, advised as follows:

He recently became News Manager for NBC in Chicago and has administrative control over news items. Items should be investigated by reporters as possible stories of interest.

Several days ago, exact date unknown, it was brought to his attention, from an unrevealed source, that an individual alleged from New York had been arrested by the Chicago Police Department for a minor traffic violation and a search of this individual's automobile resulted in the finding of numerous rounds of ammunition and a weapon, make and caliber unknown. He did not know the name or address of the person arrested and did not know the disposition of the arrest. Inasmuch as the arrest occurred on the same day, November 2, 1963, the late President JOHN F. KENNEDY was to attend the football game between the United States Air Force Academy and the West Point Military Academy at Soldier Field, this arrest became of interest to CONLEY. Subsequently the above arrest became even more interesting to him when he learned of the details of the assassination of the late President. Although he knew of no connection between the individual arrested on November 2, 1963 and the man accused of the assassination, CONLEY assigned a Chicago television reporter, LEE O'CONNOR, to investigate and determine if there could possibly be a connection.

To assist O'CONNOR, CONLEY asked LEE HESTER, a Chicago NBC employee who formerly worked in New York City to obtain any contacts in New York who could check on New York automobile registration files, inasmuch as this organization place had some connection with [illegible] and the assassination. Hester subsequently contacted [illegible] that the FBI in New York had placed a "freeze" on any information concerning said registration. By "freeze" he explained he meant that no information could be given out concerning this registration because the FBI had requested New York's cooperation to keep the information confidential.

APPENDIX J

CONLEY personally knows of no connection between the aforementioned arrest in Chicago and the assassination of the President. He is still interested in this matter inasmuch as the FBI in New York has put a "freeze" on the license plate information.

CONLEY concluded by stating that if he received any additional information in this matter, he would immediately contact the FBI in Chicago and would cooperate with the FBI in any way possible.

He was unable to supply additional information.

APPENDIX K

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA FPMR 101-11.6

UNITED STATES GOVERNMENT

Memorandum

TO :

DATE:

FROM :

SUBJECT:

Booklet May 1970
Vol. 19 #5. Computers & Automation

The attached _____ has been received in the Records Branch, appropriately initialed, and indicated for file. By use of instant transmittal memorandum, all necessary recording and indexing will be accomplished. It is to be noted this form is for internal use only within the Records Branch, principally by the Routing Unit where bulky material not accompanied by memorandum is usually received.

The enclosure, if bulky and not usually filed with other papers in file, may be detached but this action should be clearly noted under the word "Enclosure."

REC-21 61-3[illegible]

NOT RECORDED
5 MAY 13 1970

Enc.

ENCLOSURE

51 MAY 19 1970

THIS SERIAL HAS BEEN REFERRED TO ANOTHER AGENCY AND IS IN A PENDING STATUS:

FILE NO. 62-109060

SERIAL NO. unrecorded 5/26/69

PAGE NO. _____

NO. OF PAGES 1

SECTION NO.

172

Naval Investigative Service

REFERRAL

FD-36 (Rev. 5-22-64)

FBI

Date: 5/8/70

Transmit the following in _____ (Type in plaintext or code)

Via AIRTEL AIRMAIL (Priority)

Mr. Tolson
Mr. DeLoach
Mr. W. Mohr
Mr. Bishop
Mr. Casper
Mr. Callahan
Mr. Conrad
Mr. Felt
Mr. Gale
Mr. Rosen
Mr. Sullivan
Mr. Tavel
Mr. Soyars
Tele. Room
Miss Holmes
Miss Gandy

TO: Director, FBI (62-109060)

FROM: SAC, New Orleans (89-69) (P)

ASSASSINATION OF PRESIDENT JOHN
FITZGERALD KENNEDY, DALLAS, TEXAS, 11/22/63
MISC. - INFORMATION CONCERNING
OO: Dallas

Enclosed for the Bureau is a newspaper article appearing in the New Orleans States-Item concerning above-captioned matter.

One copy each of this newspaper article is enclosed for Dallas and Miami.

REC-23 62-109060-6931

MAY 13 1970

1 Enclosure

2 - Bureau (Enc. 1)
1 - Dallas (89-43)(Enc. 1)
1 - Miami (Enc. 1)
1 - New Orleans
ECW:bs
(5)

MAY 1 1970

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

FD-350 (Rev. [illegible])

(Mount Clipping in Space Below)

Garrison's Theory Backed by Computer

A computer specialist in New York contends that a computer analysis of the assassination of President John F. Kennedy reveals conclusions similar to those reached by New Orleans District Attorney Jim Garrison.

Richard E. Sprague reports in a 32-page article in the May issue of Computers and Automation Magazine that computerized "evidence" shows that at least four gunmen—none of them Lee Harvey Oswald—were involved in the shooting and as many as 50 persons may have been involved in an assassination conspiracy.

Sprague, president of a computer research firm in Hardsdale, N. Y., said his findings were based on computer analysis of 500 still photographs taken at the time of the assassination and partial analysis of movie sequences.

Garrison also based much of his theory on photographs.

SPRAGUE SAID each photograph was coded to describe the actions of every person pictured and the information fed into a computerized data bank.

The findings that emerged through use of cross-references disproved the findings by the Warren Commission that Oswald was the sole assassin, Sprague said.

Sprague said his data showed that six shots were fired at Kennedy as he rode through Dallas' Dealey Plaza in an open limousine on Nov. 22, 1963.

One shot missed, Sprague said, one hit Texas Gov. John B. Connally Jr. and four hit Kennedy, two in the head, one in the back and one in the throat.

TWO OF THE shots were fired from the Texas School Book Depository building where the Warren Commission placed Oswald, Sprague said, but he contended that Oswald was not there at the time.

Sprague said two other shots came from the Dal-Tex Building further to the rear of the motorcade, and one came from the front near a five-foot stockade fence. He said the sixth and fatal shot was fired from a grassy knoll slightly ahead of Kennedy's car and to the right.

Sprague said the photographs and other items obtained indicated that among observers of the assassination there was one man who may have acted as a visual coordinator for the gunmen and another who acted as a liaison through use of a short-wave radio.

"In fact, about six persons who participated in the conspiracy have admitted their participation and described what happened in their own involvement," Sprague wrote.

He called for an "untainted" congressional committee of investigation to look into political assassinations.

(Indicate page, name of newspaper, city and state.)

PAGE 12

SECTION 1

THE STATES-ITEM

NEW ORLEANS, LA.

Date: 5-4-70
Edition: RED COMET
Author:
Editor: WALTER G. COWAN
Title: ASSASSINATION OF PRESIDENT JOHN F. KENNEDY, TEXAS
Character: or 11-22-63
Classification: 89-
Submitting Office: N.O., LA.

☐ Being Investigated

ENCLOSURE

62-109060-6921

FBI

Date: 5/13/70

Transmit the following in _____ (Type in plaintext or code)

Via AIRTEL _____ (Priority)

TO : DIRECTOR, FBI

FROM : SAC, CHICAGO (9-0-2415)

SUBJECT: UNSUB;
EDWIN BLACK - VICTIM
POSSIBLE EXTORTION

On 5/12/70, EDWIN BLACK, 7654B North Sheridan Road, Chicago, Illinois, telephonically advised he is a free lance writer doing a story for the "Atlantic Monthy" on the assassination of former President KENNEDY. He advised he had been consulting SHERMAN SKOLNICK, legal authority in Chicago, in reference to this case and he has also learned from one [redacted] CHESKIS, 640 West Webster, Chicago, an employee of the "Chicago Sun Times," that one HENRY GILL, 3600 Lake Shore Drive, Chicago, was an alleged CIA Agent. He advised that GILL is a photographer for the "Chicago Daily News" is married, and is having an affair with CHESKIS.

BLACK stated that on 5/11/70, he contacted GILL, told him he wanted to talk with him concerning the assassination and also regarding GILL's connection with the CIA. GILL allegedly told him to call back about noon and GILL would meet him somewhere for lunch.

BLACK stated that at approximately noon on 5/12/70 he received a call from an unknown individual who stated, "If you don't stay cool, you are going to find yourself face up in a river," after which the caller hung up.

2 - Bureau
1 - Chicago

[redacted]:aja
(3)

NOT RECORDED
133
140 JUN 03 1970

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

56 JUN 5 1970

ORIGINAL FILED IN

ORIGINAL FILED IN

BLACK stated he believed the call was made by GILL and that it was a local telephone call. He stated he attempted to contact GILL, but had been unable to reach him.

BLACK stated he was requesting protection and advised he did not want to prosecute GILL.

BLACK was advised of the Bureau's jurisdiction in extortion and IOMTC matters, Bureau policy regarding protection, and that if he desired protection, he should contact the local police authorities.

BLACK further advised he had no first hand knowledge that GILL stated he was a CIA Agent, that he had contacted the CIA Chicago and Washington, D.C., and had been advised that GILL was not an employee of CIA.

On 5/13/70, Mr. IRISH MC RAE, Special Assistant to Senator CHARLES PERCY, Washington, D.C., telephonically contacted the Chicago Office and advised he had been in contact with BLACK who wanted Senator PERCY to re-open the KENNEDY assassination investigation.

MC RAE advised that on 5/13/70, he received another call from BLACK that his life had been threatened and that he had notified the FBI and local police and could not get assistance from them. According to MC RAE, BLACK asked MC RAE to have the FBI investigate this matter. MC RAE stated he informed BLACK he could not order the FBI to do anything, but stated he could show "Senatorial Interest" in the matter.

MC RAE was advised of the foregoing concerning the telephone call by BLACK to the FBI in Chicago and of the Bureau's jurisdiction and policy as aforementioned. MC RAE stated he was attempting to determine if BLACK was "a nut." MC RAE stated that he was just going to forget the matter and let BLACK recontact him.

No investigation is being conducted by Chicago and the Bureau is being furnished the foregoing in the event of Senatorial inquiry.

- DeLoach
- Rosen
- Raupach
- Frazier

62-109060 — 6139

May 22, 1970

Airmail

REC-102

Mr. David Lifton
11816½ Dorothy Street
Los Angeles, California 90049

Dear Mr. Lifton:

Reference is made to your letter dated May 12, 1970.

The material referred to in your letter as having been obtained by Special Agents Francis X. O'Neill, Jr., and James W. Sibert following the autopsy on the body of President John F. Kennedy at Bethesda Naval Hospital is Commission Exhibit 843.

Sincerely yours,

J. Edgar Hoover

RAF:eca

John Edgar Hoover
Director

NOTE: In answer to a previous letter from addressee dated November 9, 1966, he was advised that the material developed in our investigation of the assassination of President Kennedy was turned over to National Archives. His letter to us at this time concerns his further research and attempt to secure information available to the public from National Archives. There appears to be no reason not to furnish Mr. Lifton the Commission Exhibit No. of the material described in his letter for use in his correspondence with National Archives. Commission Exhibit 843 consists of two metal fragments removed at the time of autopsy from President Kennedy's head.

COMM-FBI

Tolson
DeLoach
Walters
Mohr
Bishop
Casper
Callahan
Conrad
Felt
Gale
Rosen
Sullivan
Tavel
Soyars
Tele. Room
Holmes
Gandy

56 JUN 5 1970

MAIL ROOM ☐ TELETYPE UNIT ☐

18184 Dorothy St
.A. Calif., 9004
May 12, 1970

J. Edgar Hoover
Director
Federal Bureau of Investigation
United States Department of Justice
Washington, D.C. 20535

Dear Mr. Hoover,

I am engaged in research concerning the assassination of President Kennedy, and am preparing a manuscript on the subject which I hope to publish at some time in the future.

In connection with my research, I have depended on the U.S. National Archives as a prime source of information and documentation. This is particularly true in the case of obtaining FBI reports concerning various phases of the assassination investigation conducted by the FBI. As I'm sure you are well aware, in addition to FBI reports that were turned over to the National Archives by the Warren Commission at the conclusion of its inquiry, the FBI directly turned over to the National Archives additional information and evidence under Public Law 89 - 318, enacted November 2, 1965, and these items are enumerated in the Federal Register of November 1, 1966.

Recently, I obtained from the National Archives an FBI document which was turned over to the National Archives in 1969 by the U.S. Secret Service. This document is an FBI receipt, dated 22 November 1963, and issued by FBI agents Francis X. O'Neill, Jr. and James W. Sibert, for "a missile removed by Commander James J. Humes, MC, USN on this date." (A xerox copy of the receipt is attached to this letter.)

You will recall that Commander Humes performed the autopsy on the body of President Kennedy at Bethesda Naval Hospital and that FBI agents Sibert and O'Neill were FBI observers at the autopsy.

I would like to be able to examine the item of evidence designated by this receipt at the National Archives. Before such time as I will next be in Washington, I would also like to request the archivist to send me a photograph of it. Finally, I would like to make certain other inquiries of the Archivist concerning the item of evidence that is designated by this FBI receipt.

62-109060-6[illegible]

In order to do any of the above, I must be able to specify the item of evidence designated by this receipt either by its FBI Exhibit number, or its Warren Commission Exhibit number. (The FBI lab number, frequently used in many of the FBI reports, would also serve the same purpose.) For example, the bullet found on the stretcher at Parkland Hospital is designated as "Q-1" by the FBI laboratory in its reports (see page 162 of Commission Document 5, Agent Robert T. Gemberling's Dallas Field Office report dated November 26, 1963); as FBI Exhibit number "C-1" [illegible]

MAY 14 1970

EXP-COPY

Warren Commission documents which list evidence submitted by the FBI by FBI Exhibit number (such as Commission Document 345, which is such a list); and as Warren Commission Exhibit 399 (page 49 of volume 17, of the Commission's 26 volumes).

In order to make further inquiries and requests of the Archivist of the United States concerning the item of evidence designated by this FBI receipt, it is necessary that I designate the item of evidence either by its FBI lab number, or FBI Exhibit number, or Warren Commission Exhibit number. Would you be kind enough to furnish me with this information so I might direct all my future inquiries concerning this item of evidence to the appropriate officials at the National Archives?

As I have already mentioned, this FBI receipt was turned over to the National archives by the U.S. Secret Service. It apparently was turned over to the Secret Service by Rear Admiral (and Dr.) George Burkley, physician to both Presidents Kennedy and Johnson, after he (RADM Burkley) received it via Navy channels from Captain J.H. Stover, Jr., to whom it was issued by FBI agents Sibert and O'Neill, when they took possession of the item of evidence involved, on the evening of November 22, 1963, at Bethesda Naval Hospital.

To minimize any possible confusion on the history of this receipt, I am also attaching to this letter, besides a copy of the receipt, itself, the following: 1) the title page and 28th page of the 1970 "Preliminary Inventory" issued by the U.S. National Archives regarding records and evidence stored there pertaining to the assassination of President Kennedy. (The receipt is listed as item (c) under entry 52 on page 28). 2) the receipt issued by the Secret Service, to Rear Admiral Burkley on November 26, 1963, when the Secret Service received this FBI receipt from Dr. Burkley, along with certain items, at that time. (The FBI receipt is the seventh item listed on this Secret Service receipt).

I thank you in advance for your cooperation in helping to clarify this matter.

Respectfully yours,

David Lifton

Attachments

1) Xerox copy of FBI receipt signed by agents Sibert and O'Neill and dated 22 November 1963

2) The title page and 28th page of the 1970 National Archives "Preliminary Inventory" of Warren Commission records and evidence

3) A copy of a Secret Service receipt dated November 26, 1963, issued by Robert I. Bouck, of the Protective Research Section

22 November 1963

From: Francis X. O'NEILL, Jr., Agent FBI
James W. SIBERT, Agent FBI

To: Captain J. H. STOVER, Jr., Commanding Officer, U. S. Naval Medical School, National Naval Medical Center, Bethesda, Maryland

1. We hereby acknowledge receipt of a missle removed by Commander James J. HUMES, MC, USN on this date.

Francis X. O'NEILL, Jr.

James W. SIBERT

ENCLOSURE

PRELIMINARY INVENTORY

OF THE

RECORDS OF THE PRESIDENT'S COMMISSION

ON THE ASSASSINATION

OF

PRESIDENT KENNEDY

Compiled by

Marion M. Johnson

National Archives and Records Service
General Services Administration
Washington, D.C.
1970

ENCLOSURE

Arranged chronologically by date of document.

[illegible] 2 photograph records. 50

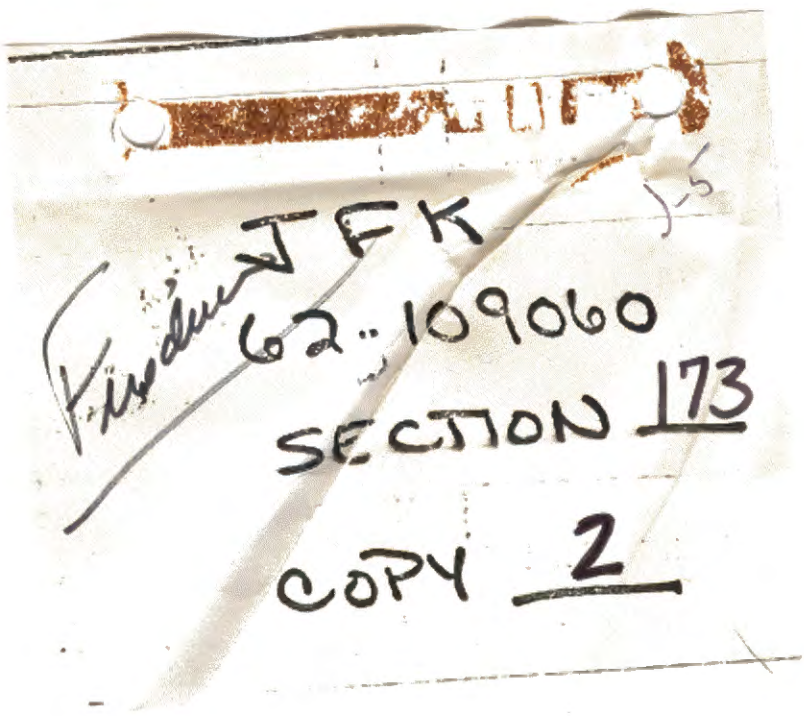
Produced by Broadside Records with the cooperation of Folkways Records.

PHOTOGRAPH OF THE COMMISSION. n.d. 2 items. 51

Glossy and matte finish prints of a photograph of the Commission taken by Acked Studio of Washington, by which it is copyrighted.

RELATED MATERIAL RECEIVED IN 1969 FROM THE SECRET SERVICE. 1964.
Negligible. 52

(1) Electrostatic copies of the following papers relating to the assassination and the autopsy of President Kennedy: (a) Certificate of Death filed in Texas; (b) letter dated November 26, 1963, from Commanding Officer, U.S. Naval Medical School, concerning laws and regulations regarding the confidential nature of the events relating to the autopsy; (c) receipt from the Federal Bureau of Investigation for a missile recovered during the examination of the body; and (d) letter dated November 22, 1963, from Dr. M. T. Jenkins, Department of Anesthesiology of the University of Texas Southwestern Medical School, to the Administrator, Parkland Memorial Hospital, concerning resuscitative efforts for President Kennedy, together with a letter of November 23, 1963 from Dr. Kemp Clark to Dr. George G. Burkley and the summary of his findings of treatment and examination of the President. (2) The original and six pink copies of Certificate of Death (NAVMED N), consisting of the ribbon copy, five carbon copies, and a pencil draft of the Navy Certificate of Death, all on the pink "NAVMED N" form. (3) Station WDSU-TV (New Orleans) film of Lee Harvey Oswald distributing leaflets.


FBI
JFK
62-109060
SECTION 173
COPY 2

UNITED STATES GOVERNMENT

Memorandum

1 - Mr. Conrad
1 - Mr. Jevons
1 - Mr. Gallagher
DATE: 5/20/70
1 - Mr. Heiberger

TO Mr. Conrad

FROM R. H. Jevons

SUBJECT: HAROLD WEISBERG
DEPARTMENTAL REQUEST

Mr. Carl Eardley, Deputy Assistant Attorney General in the Civil Division, has advised that the Department is in receipt of a request from Harold Weisberg for the spectrographic analyses of certain of the bullets and fragments recovered in the investigation of the assassination of President John F. Kennedy. Harold Weisberg is the author of Whitewash a "leftist" book highly critical of the Bureau and its investigation of the assassination.

Spectrographic analysis of material, such as bullet metal, permits a comparison of the composition of different samples and thus some indication as to whether such samples may have originated from the same or different bullets. Laboratory examiners furnished testimony before the Commission that certain fragments were examined spectrographically and were similar in composition. The detailed notes, work sheets, and photographic plates comprising the raw data upon which this conclusion was based were, of course, prepared by the Examiners at the time the analyses were made and constitute "raw data" which are a part of the Bureau's investigative files pertaining to this matter. To assist him in preparing his denial for this information, Mr. Eardley has requested to see these notes, work sheets and spectrographic plates.

In a somewhat similar earlier situation in which a "would-be" author desired to obtain this raw data, the request was denied by the Department based upon the fact that this material is part of the Bureau's investigative files compiled for law enforcement purposes. This earlier request came through Mr. Eardley's Office and the Department sustained the Bureau's recommended position of denial.

1 - Mr. Mohr
1 - Mr. DeLoach
1 - Mr. Rosen

RHJ:mjk (8)

REC-115 - 6933

14 MAY 26 1970

CONTINUED - OVER

54 JUN 5 1970

SEVEN

Memorandum to Mr. Conrad
Re: HAROLD WEISBERG
DEPARTMENTAL REQUEST

Eardley was reminded of the earlier similar situation and advised that he recalled the previous request and the action taken thereon. He was also reminded that the testimony as to the conclusions was set forth in the Commission report. Eardley indicated that he also planned to deny the request from Weisberg but pointed out that it would be extremely helpful to him (Eardley) in preparing his denial if he could be permitted to see the notes, work sheets, and spectrographic plates which constitute the "raw material" in the Bureau file, from which the conclusions were drawn. It was pointed out to Eardley that, except insofar as the examiner's notes reflect the examiner's conclusion, much of the material, including the photographic plates themselves, is of a highly technical nature and requires scientific training for their proper interpretation.

Eardley has been friendly and helpful to the Bureau in the past and, as indicated above, has stated that he plans to deny the current request from Weisberg. Accordingly, although certain of the raw material will be meaningless to him, except where the notes are self-explanatory, it is suggested that the Bureau will wish to comply with Eardley's request to see this material. If approved, the specific material involved, namely examiner's notes, work sheets, and spectrographic plates will be shown to Eardley. He will not, of course, have access to any remaining part of the file.

RECOMMENDATION:

Accordingly, it is recommended that Mr. Eardley be authorized to view the spectrographic plates and notes pertaining to this matter. If approved, Mr. Eardley will be telephonically advised.

UNITED STATES GOVERNMENT

DEPARTMENT OF JUSTICE

Memorandum

TO : Mr. J. Edgar Hoover
Director, F.B.I.

DATE: May

FROM : Richard G. Kleindienst
Deputy Attorney General

SUBJECT: Harold Weisberg: Requests for Information under Freedom of Information Act

Attached hereto are two letters dated May 16, 1970 from Mr. Harold Weisberg in which he explains his requests for certain information relating to the assassination of former President Kennedy. Also attached are five Forms DJ-110 which specifically identify the materials he is seeking in each case.

Would you please have these requests reviewed and advise me with respect to their disposition.

5-7-DS

62-109060-
NOT RECORDED
133 JUN 12 1970

ORIGINAL FILED IN 100-35/938-

1 - Mr. Mohr
1 - Mr. DeLoach
1 - Mr. Rosen
1 - Mr. Sullivan (Attn: T. N. Goble)
1 - Mr. Conrad
1 - Mr. Jevons
1 - Mr. Frazier
1 - Mr. Gallagher

Deputy Attorney General

May 26, 1970

62-109060-

HAROLD WEISBERG: REQUESTS FOR INFORMATION UNDER PROVISIONS OF FREEDOM OF INFORMATION ACT

Reference is made to your memorandum dated May 19, 1970, regarding Mr. Weisberg's request for certain information relating to the assassination of former President Kennedy.

Your attention is directed to my letter to the Attorney General dated November 20, 1967, entitled "Assassination of President John Fitzgerald Kennedy, November 22, 1963, Dallas, Texas," which set out information concerning Harold Weisberg from the files of this Bureau. This included the fact that Weisberg was one of two employees fired [illegible] by the State Department in 1947 because of suspicion of being a communist or having communist sympathies. Later Weisberg was allowed to resign without prejudice.

Weisberg has written several books concerning the assassination of President Kennedy which attack the Warren Commission Report. His book "Whitewash-The Report of the Warren Report" is a vitriolic and diabolical criticism of the Warren Commission, the FBI, the Secret Service, several other U. S. Government agencies, and the Dallas, Texas, Police Department. It contains inaccuracies, falsehoods, and deliberate slanting of facts to fit Weisberg's purpose.

The following comments are in the order they were requested in Weisberg's letters, copies of which were furnished with your memorandum:

(1) See Incomparable Analyses. Weisberg has requested details of the specific technical analyses conducted on certain bullet evidence involved in the assassination.

RHJ:mjk (11)

(see note page 6)

59 JUN 19 1970

ORIGINAL FILED IN 100-35/938-17

The Honorable Attorney General

Reference is made to the matter entitled "John Nichols Versus United States of America, et al., U.S.D.C., E. Mich., Civil No. [illegible]" and to my memorandum to Mr. William D. Bradford Bundy dated February 17, 1969, which memorandum related to the release of spectrographic data concerning certain ballistic evidence involved in the assassination of former President Kennedy. It is understood that litigation is still pending as to whether or not information regarding spectrographic analyses will be released.

As mentioned in my memorandum of February 17, 1969, it is our considered opinion that the results of the spectrographic tests are adequately shown in the report of the Warren Commission where (Volume 5, Pages 67, 68, 73 and 74) it is specifically set forth that the metal fragments were analyzed spectrographically and were found to be similar in composition. The work notes and raw analytical data on which such results are based are not normally made public particularly since they can only be interpreted properly by scientifically trained personnel.

The work notes and raw analytical data are part of the investigative files of this Bureau and rightfully fall within exemption number 7 of subsection (b) of 5 U.S.C. 552 which specifically exempts investigatory files compiled for law enforcement purposes.

Release to any and all who request them of the raw analytical data in the thousands of spectrographic tests conducted in the numerous cases received by this Bureau would place an unnecessary and heavy burden on this Bureau and thus greatly hamper its efficient operations, and compliance with the current request would set a potentially highly undesirable precedent in this regard.

The Deputy Attorney General

Based on these observations, it is our firm opinion that the provisions of 5 U.S.C. 552, subsection (b), exemption 7 should be invoked and the request of Mr. Weisberg for the spectrographic analyses be denied.

(3) Documentation Relating to David William Ferrie: Mr. Weisberg described the records he requests as documents relating to the late David William Ferrie of New Orleans:

(a) withheld from the Warren Commission and/or

Comment: No documents relating to David William Ferrie were withheld by the FBI from the Warren Commission.

(b) withheld from the National Archives

Comment: So far as is known, all records of the Warren Commission pertaining to David William Ferrie were turned over to the National Archives by the Warren Commission, together with all other records of the Warren Commission.

(c) withheld by the National Archives by order of the Department of Justice

Comment: Your attention is directed to my letter to the Attorney General dated May 15, 1968, entitled "Assassination of President John Fitzgerald Kennedy, November 22, 1963, Dallas, Texas," and to my letter to the Acting Attorney General dated February 24, 1967, entitled "Public Disclosure of

The Deputy Attorney General

Warren Commission Records." Both of these letters concerned 85 pages of Warren Commission Document No. 75 which dealt with allegations and investigation regarding Ferrie. Copies of the 85 pages in question were enclosed with the letter of February 24, 1967. These are pages 212-221, 225-228, 231-304, 307-311, 313-316, 318-323, and 341-343, all inclusive. In the letter dated May 15, 1968, I stated that the final decision as to the public disclosure of the material concerning Ferrie rests with the Department of Justice. I also advised that the Bureau has no objection to public disclosure of the data concerning Ferrie.

These pages were originally excluded from public disclosure under guidelines approved by Mr. McGeorge Bundy, Special Assistant to the President. The specific guideline applicable is identified as 3(C), which provided that public disclosure should be made unless disclosure "would be a source of embarrassment to innocent persons, who are the subject, source, or apparent source of the material in question, because it contains gossip and rumor or details of a personal nature having no significant connection with the investigation of the President." Our position as to this information concerning Ferrie has not changed since the May 15, 1968, letter.

(2) Exhibit 60 (Pictures of Fonzi at Kennedy's shirt and tie) Professors remark: "Photographic copy of a portion of Exhibit 60 showing the tabs of the President's shirt." Apparently Archives has furnished a copy of this Exhibit.

however, he has advised the quality of this copy is not satisfactory for his purpose and has requested a print from the original negative which is a part of this Bureau's files.

Compliance with the request would set an undesirable precedent and could lead to numerous such requests for copies of photographic matter furnished the Commission. The Bureau can ill afford to divert away from our important investigative responsibilities the time needed to search our voluminous files and prepare such material. However, since the photograph referred to as Exhibit CO is available to the public through Archives it is felt the matter of furnishing additional copies is for the Department to decide and an additional photographic print of the portion showing the "third tube" is attached in the event the Department wishes to set this precedent.

(4) Concerning receipt of material obtained at Autopsy: Weisberg requested a photograph and all records relative to the material removed by Commander James Humes, M.C., U.S.N., at the time of the autopsy and receipted for by Special Agents Francis X. O'Neill and James W. Sibert November 22, 1963. This request appears to be based on his inability to specifically identify the Exhibit in the Commission report.

The material referred to in the request is identified as Commission Exhibit 392. A photograph of this exhibit furnished the Commission and was published in "Hearings Before the President's Commission on the Assassination of President Kennedy," Volume II, Page 361. Other

Attorney General

information regarding this exhibit appears elsewhere in the Commission's files.

(3) [redacted]: The FBI has never had possession or custody of the autopsy photographs requested by Mr. Weisberg.

Enclosure

NOTE:

As is stated in the letter to the Deputy Attorney General and as we have pointed out in previous communications to officials of the Department of Justice, Weisberg is a prolific and notorious critic of the Warren Commission, the FBI, etc. His criticisms have included slanting of the truth and outright lies.

So far as the Ferrie material is concerned, Ferrie died in February, 1967. The 55 pages of information about him which were withheld from public disclosure contained allegations, hearsay, and rumor indicating he may have been a homosexual. This information was withheld in 1965, two years before Ferrie's death. The previous communications to Department officials which were written following Ferrie's death took the position that we had no objection to the release of this information to the public; however, the final decision in this regard was a decision to be made by the Department of Justice.

Regarding the photograph mentioned in Item 3 above, informal discussions with Mr. Carl Eardley, Deputy Assistant Attorney General, show the Department feels that it would be difficult, if not impossible, to sustain in court a refusal to furnish copies of material the subject matter of which is already available to the public.

[redacted] Attorney General

The receipt referred to in Item 4 above was made but for a missile. The "missile" consisted of two small fragments of lead recovered from the head of President Kennedy.

Relative to the autopsy photographs mentioned in Item 5, the Laboratory has never had in its possession or custody any of these photographs. This material has also been co-ordinated with the Domestic Intelligence and General Investigative Divisions. Both Divisions advise that they have never had custody of the autopsy photographs.

Material set out above concerning Ferrie and background on Weisberg compiled and furnished by Domestic Intelligence Division.

UNITED STATES GOVERNMENT

Memorandum

TO Mr. DeLoach

DATE: May 6, 1970

FROM A. Rosen

SUBJECT: ASSASSINATION OF PRESIDENT JOHN FITZGERALD KENNEDY 11/22/63, DALLAS, TEXAS

1 - Mr. DeLoach
1 - Mr. Rosen
1 - Mr. Malley
1 - Mr. Shroder
1 - Mr. Raupach
1 - Mr. Bishop
1 - Mr. Sullivan
1 - Mr. Conrad

Tolson
DeLoach
Walters
Mohr
Bishop
Casper
Callahan
Conrad
Felt
Gale
Rosen
Sullivan
Tavel
Soyars
Tele. Room
Holmes
Gandy

Boston furnished the May, 1970, issue of "Computers and Automation," published by Edmund Callas Berkley. Our files show Berkley has been associated with Communist fronts, and he is known to be anti-police and anti-law enforcement. Contained in this publication is an article on page twenty-nine captioned "The Assassination of President John Fitzgerald Kennedy: the Application of Computer to the Photographic Evidence," by Richard E. Sprague. This article has been reviewed, and it is Sprague's contention that Lee Harvey Oswald was not the sole assassin of President Kennedy, and there was a conspiracy. He based his hypothesis on so-called conclusive photographic evidence which he has collected and applied to a computer. Sprague determined that at least four persons shot at President Kennedy and that more than fifty persons were involved in the conspiracy.

Sprague concluded that, due to all the evidence he collected, it proved "no one fired any shots on November 22, 1963, between noon and 1:00 p.m. from the sixth floor eastern-most window of the Texas School Book Depository Building (TSBDB)." This is absolutely in error, as the findings of the Warren Commission were that at 12:30 p.m., CST, Oswald fired at the President from the eastern-most window on the sixth floor of the TSBDB. Sprague listed all of the photographs that he has. This is not new information to us, as these were previously furnished to us from the office of former Senator Robert F. Kennedy and the Department. Dallas reviewed this material and determined that the majority of photographs and movie sequences listed by Sprague had been reviewed, and this information was incorporated into reports submitted to the President's Commission.

REC-31 62-109060-6734

In connection with Sprague's research, he mentioned from time to time he has talked to various audiences and encountered a number of questions. A question put to him was: "Did

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Memo Rosen to D[illegible]ach
Re: ASSASSINAT[illegible]N OF PRESIDENT
JOHN FITZGERALD KENNEDY

J. Edgar Hoover know about the plans for the assassination of President John F. Kennedy in Dallas before it happened? - There is conclusive evidence that J. Edgar Hoover knew, and issued no warnings." This is a totally irresponsible and slanderous accusation which has no foundation in fact. When asked what can be done, Sprague said, "It would be good to expose J. Edgar Hoover, to call the attention of the public to his suppression of evidence and his failure to warn President Kennedy of the plot for assassinating him in Dallas and to compel his resignation. The FBI knew about the plot well ahead of time." Sprague also mentioned other suggested action, such as dismantling the CIA; creating an untainted Congressional committee, which will look into political assassinations in the United States; and also that President Nixon should issue an executive order to release classified documents regarding the assassination currently in the National Archives.

Sprague recognizes in his article other people with whom he collaborated, among whom is Bernard Fensterwald, executive director of the National Committee to Investigate Assassinations, headquartered in Washington, D. C. We know from public comment Fensterwald has made that he considers the Warren Commission's report to be a "fairy story." Other individuals listed by Sprague are such persons as Thomas F. Buchanan and Joachim Joesten, both of whom have previously written completely untrue versions of the assassination, implicating many branches of the Government as being involved in the conspiracy to kill the President. These individuals are mental cases. Credit was also given to other individuals whom we know to be severe critics of the Warren's Commission's findings, such as Mark Lane, Sylvia Meagher, Harold Weisberg, former Special Agent William Turner, and others.

ACTION: It is recommended that in the event we receive any correspondence from Sprague, it should not be acknowledged. It should be noted that we previously furnished to the Department information regarding Sprague.

OK.

TSB

LYNE, KLEIN & FREN
ATTORNEYS AT LAW
14TH FLOOR ADOLPHUS TOWER
DALLAS, TEXAS 75202

ERICH F. KLEIN, JR.

TELEPHONE RI 2-15-41

May 28, 1970

Federal Bureau of Investigation
Washington
D. C.

Attention J. Edgar Hoover, Director

CERTIFIED MAIL RECEIPT NO. 104343

Re: Claim of Marina Oswald Porter, et al, Against
The United States Pursuant to 28 U.S.C.A. § 2675

EXP. PROC.

Gentlemen:

Claim is hereby made against the United States and/or the Federal Bureau of Investigation under the provisions of 28 U.S.C.A. Section 2675. This claim is made in the amount of $55,000.00 or in the alternative, as explained below, in the amount of $60,000.00. This claim is being made under such above-described statute by the attorneys representing and for and in behalf of Mrs. Marina N. Oswald Porter, individually and as community administratrix of the community estate of herself and her deceased husband, Lee Harvey Oswald, and of her present husband, Kenneth Porter. This claim is being made for loss or damage to personal property caused by the negligent or wrongful acts or omissions of the employees of the Federal Bureau of Investigation, such damage being done to the personal property belonging to the claimants herein which personal property was taken by the Federal Bureau of Investigation from the claimants and Lee Harvey Oswald.

The property which was damaged is listed in the Federal Register, Volume 31, Number 212, dated November 1, 1966, a copy of which is attached hereto. Only those items which are checked are claimed as having been owned by the claimants.

REC-24

Between November 22, 1963 and November 1, 1966, the property in question belonged to the claimants herein and at the time of

ENCLOSURE

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its confiscation all the property claimed herein was in reasonable good condition. From and after November 22, 1963, the Federal Bureau of Investigation did take possession of the subject property and while such property was in the exclusive custody and control of the Bureau, it was damaged through the actions of the Bureau's employees. These actions were such that the items above-referred to were burned, torn, discolored, worn, obliterated and otherwise damaged so as to greatly reduce the value thereof.

In a civil action filed in the United States District Court for the Northern District of Texas styled Marina N. Oswald Porter et al, Plaintiff vs. United States of America, Defendant, Civil Action No. 3-2282, expert testimony was produced both by the Plaintiff and the Defendant as to the value of the subject property prior to and after the damage in question. Of public record in the papers of said case is expert testimony produced by the Plaintiff setting the value of the property in question at $95,000.00 prior to the damage claimed herein and $40,000.00 thereafter. Expert testimony produced by the Government reflects that prior to the damage the property had a reasonable market value of $70,000.00 and after such damage a reasonable market value of $10,000.00. The amount of this claim is based on such expert testimony, and is the difference in the value of the property, as established by Plaintiff's expert, prior to and after the damage thereof by the Federal Bureau of Investigation, i.e., $55,000.00, or in the alternative, without waiving the prior claim, claim is hereby made in the amount of $60,000.00 which is the difference in value of the property as established by the expert testimony of the United States. In presenting this claim, no admission is made of the validity of the values established by the Government's experts.

Claimants make this claim under 28 U.S.C.A. Section 2675 in that the United States District Court has ruled that the Plaintiffs are to be compensated by being awarded the fair market value of the subject property in its condition as of November 1, 1966. Claimants herein do not in any manner admit that November 1, 1966

is the correct valuation date under Public Law 89-318. The Court in the above-mentioned case, over the objection of the claimants, has ruled that the subject property is to be valued in its damaged condition at November 1, 1966 even though subject property was taken by the United States in good condition and damaged while in the exclusive care and control of the Government. Therefore, should the United States District Court be correct in its ruling that the claimants are to be awarded the fair market value of the property in its damaged condition, the claimants herein do hereby make and assert this claim.

Very truly yours,

LYNE, KLEIN & FRENCH

By: _____
ERICH F. KLEIN, JR.

EFK,Jr:gs

Attachment

the entire body of evidence considered by the President's Commission on the Assassination of President Kennedy and now in the possession of the United States to be preserved intact.

Accordingly, pursuant to section 2(a) of the Act, I hereby determine that all of the items of evidence not owned by the United States which were considered by the Commission, and were not returned by the Commission to the person who furnished them, should be acquired by the United States and be preserved together with all of the items of evidence already owned by the United States.

The items acquired hereunder are more particularly described in the appendix annexed to and made a part of this notice. This notice and appendix shall be published in the FEDERAL REGISTER, and title to the items acquired pursuant to the foregoing determinations shall thereupon vest in the United States pursuant to section 2(b) of the Act.

Dated: October 31, 1966.

RAMSEY CLARK,
Acting Attorney General.

APPENDIX

1. The following weapons:

(a) One 6.5 mm. Mannlicher-Carcano rifle, with telescopic sight, Serial No. C2766, including sling and cartridge clip. (Commission Exhibit No. 139.)

(b) One .38 Special Smith and Wesson revolver Serial No. V510210, Assembly No. 63248, with appurtenances. (Commission Exhibit No. 143.)

2. (a) All other items of evidence which were assigned exhibit numbers by the Commission or its staff (such items being listed, described, and reproduced in Volumes XVI through XXVI of the Hearings before the President's Commission on the Assassination of President Kennedy, United States Government Printing Office, 1964, hereinafter referred to as the "Commission's Hearings"), other than those items which were returned by the Commission to the person who had furnished them.

(b) For the purposes of the preceding paragraph, the term "exhibit numbers" shall be deemed to include (1) Commission exhibit numbers 1 through 3154, including all such numbers with suffixes, listed in Volumes XVI through XVIII and Volumes XXI through XXVI of the Commission's Hearings, and (2) all exhibit numbers listed in Volumes XIX through XXI of the Commission's Hearings under the names of specific individuals beginning with the name "J. V. Allen" and ending with the name "Ralph W. Yarborough."

No.	Description
1-43	Photos and pictures.
44-64	Postcards.
65	Negatives.
66	10 Christmas cards; 5 envelopes; 5 folded note papers with flowered border.
67	Christmas card with picture of "mother."
68	Christmas card from "mother."
70	Photographs.
71	Oswald's Marine Corps class book.
72	Hammond Doubleday World Atlas.
73	Modern Postage Stamp Album.
74	Tezuka Russian magazine.
75-83	Russian books.
84	Russian book.
85	Copy of Militant (10-7-63).
86	Copy of Worker (10-20-63).
87	Copy of Friend's World News (4/63).
88	Copy of Pocketbook entitled "1984" by George Orwell.
89-94	Russian pamphlets.
96	Application for FPCC.
97	Handbills entitled "Hands Off Cuba! Join the FPCC."
98	Receipt for fine for 2d Mun. Court, New Orleans, 8-12-63 No. 21902 and newspaper clipping.
99	Pamphlets by Corliss Lamont "The Crime Against Cuba."
100	Road map "Eastern States" (Cities Service).
101	Texas Highway Map (Phillips 66).
102	Map of Moscow.
103	Map of Minsk.
104	Map of City of New Orleans.
105	Map of "Beautiful Russia."
106	Map of the world.
107	No Admittance sign.
110	Notebook with designs.
111	Red Russian stamp folder with stamps.
113	Pocket size blue book apparently identification booklet with small photograph of Oswald.
114	Brown billfold with Marine group photograph.
115	Fair Play For Cuba Committee, New Orleans Chapter ID Cards.
116	Sheets of English writing, both sides which appear to be a diary.
117 (D43)	Sheets of lined paper in green ink printing containing comments re CPUSA.
118	Negative offset print of Russian city.
121	Brown Manila envelope from Department of the Navy directed to Mr. Lee H. Oswald, Minsk, USSR.
169	Withholding Tax Statements for 1962 and 1963 for Lee Oswald.
169	Withholding Tax Statements for 1962 and 1963 for Lee Oswald.
170	Deposit slip ISO Public Service No. 4/63/62, Dallas City Water Works Deposit slip #23331 and Texas Employment Commission slip dated 4-19-63 (all in name of L. H. Oswald).
171	Rent receipt 8-9-63, signed L. Lawson (New Orleans).
172	Receipt from U.S. Department of Justice for $5 (IRS) in name of Marina N. Oswald.
173	Birth certificate for Audrey Marina Rachel Oswald born 10-20-63, No. 15133, Dallas, Tex.
174	Social Security Receipt Oswald (Social Security No. 433-54-2557, 8/63).
175	Withholding Tax for 1963 in name of Lee Harvey Oswald.
176	Invoice No. 33210 USA, Dept. of State, in name Oswald, transportation cost $135.71.
177	A promise by Oswald to pay loan to Department of State.
178	Remittance slips, State Department Nos. 2/63243, 2/63261 and 2/63261, addressed "Oswald Box 2015, Dallas, Texas."
179	Receipts from U. S. Department of State, Nos. 1152/00, 1152/01, 1152/05 and 1152/06.
180	INS form I-50 in name of Marina Oswald.
181	Incomplete Form FDI-130 (IRS) in name of Lee Harvey Oswald.
182	Russian language forms, one entitled "ANKETA."
185	Form DD258, Application for Review of Discharge from Armed Forces of the United States (two sheets).
186	Booklets which appear to contain embroidery patterns.
187	Color slides.
188	Pass dated 9/62 in name Sgt. Oswald, Zebra NCO, Open Mess.
189	Empty envelope to Mr. and Mrs. Lee H. Oswald from Vernon, Tex.
191	Magazine wrapper addressed to Lee H. Oswald from Minsk.
192	Pamphlet No. 13 Russian document.
194	Hand sketches on plain paper.
196	One letter and envelope from John Connally to Lee H. Oswald.
198	Foreign language magazine pages.

FBI exhibit No.	Description
199	Note paper bearing name Paul Gregory, Norman, Okla.
200	Subscription coupon, Life magazine.
201	Pages from foreign-language book.
202	Pages from foreign-language book.
203	Note with name Ruth Paine, 2515 6th St., Irving, Tex.
204	Calling card, McKamy Secretarial Service.
206	Address label advertisement.
207	Negative bearing "Crime Against Cuba."
208	Note bearing telephone number RH 31365.
210-218	Empty envelopes.
219	Letter and envelope bearing name Alex Kleinlerer, P.O. Box 11277, Ft. Worth, Texas.
220-230	Empty envelopes.
231	Slip of paper containing names Carlos J. Bringier, Miguel M. Cruz, and Lt. William Gaillot.
232-248	Envelopes with contents.
249	Manila envelope which contained above envelopes and contents. Designated as letters during stay in Soviet Union.
250	Affidavit by Bryon Phillips guaranteeing Marina Nikolaiava Oswald will not be ward of state.
251	Letter dated 10-8-62 at Minsk from Erick to Aleck.
252	Letter from Department of State, American Embassy, Moscow, 1-31-62, to Lee H. Oswald, Minsk, Russia.
253	Letter from American Embassy, Moscow, 11-13-61, to Lee Harvey Oswald.
254	A promise to repay Financial Assistance Loan for Repatriation, 6-1-62, signed by Lee Harvey Oswald to the Department of State.
255	Letter from American Embassy, Moscow, 7-10-61, to Mrs. Marina Oswald, Minsk, for interview regarding visa application.
256	Form in Russian language dated 12-1-62.
258	Letter from Soviet Embassy, Washington, D.C., dated 6-4-63, directed to Mr. M. Oswald, New Orleans, in Russian language.
260	3" x 5" cards bearing respectively names G. Hall, A. J. Hidell, B. Davis, and V. T. Lee.
263	International Smallpox Vaccination Certificate in name of Marina Oswald.
264	International Smallpox Vaccination Certificate in name of June Oswald.
268	Small folder bearing name Oswald in Russian and No. 123616.
270	Fort Worth Press news clipping showing photograph of Iranian native Mrs. John R. Hall.
271	Small white sheet bearing Russian script.
274	Letter by Lee H. Oswald to Federal Income Tax Bureau.
276	Russian language form bearing No. 615122.
278	Photographs portraying scenes in Russia.
277	American Embassy letter, Moscow, 7-10-61, to Mrs. Marina Nikolaiava Oswald, Lee Prospekt, Minsk.
279	Russian language form bearing writing and numerals (Numerals on last line: 25-63).
280	Letter from Russian Embassy, Washington, to Marina Oswald, Box 2915, Dallas (3-8-63).
281	Group of sewing patterns.
282	"Top Value" stamp book.
286	Small blue pouch containing Elgin "17" pocket watch, tie clasp bearing letters CCCP, cuff links with hammer and sickle; stick pin with hammer, sickle and star; one Master lock key; one Benrus wrist watch, serial number 476343; one belt buckle; one tie clasp; one silver cuff link; one Marine Corps lapel button; one lapel button bearing red flag with hammer and sickle; one "Sharpshooters" Medal; one die; one "dog tag" No. 1653230, USMC and lapel pin with hammer and sickle.
287	Nine negatives, size 620.
300	Handbills entitled "Hands Off Cuba; Join The Fair Play for Cuba Committee, NO Charter Member Branch."
301	Application form to the FPCC, New Orleans, LA.
302	FPCC New Orleans Chapter identification cards.
303	Pamphlets entitled "The Crime Against Cuba" by Corliss Lamont.
304	Booklet entitled "Fidel Castro Denounces Bureaucracy and Sectarianism."
305	Booklet entitled "The Socialist Workers Party" by Joseph Hansen.
306	"The Coming American Revolution" by James P. Cannon.
307	"Cuban Counter-Revolutionaries in the U.S." published by FPCC.
308	Pamphlet by Dobbs-Weiss Campaign Committee, 116 University Place, New York.
309	List of Russians and Communist literature publications.
310	Booklet entitled "The Pact of Madrid" by the Committee for a Democratic Spain.
311	Booklet entitled "The McCarran Act and The Right to Travel."
312	Pamphlet entitled "The Revolution Must Be A School of Unfettered Thought—Fidel Castro."
313	Booklet entitled "Ideology and Revolution" by Jean Paul Sartre.
314	Pamphlet by FPCC reflecting literature catalog, Spring 1963.
315	Pamphlet "The Road to Socialism" by Blas Roca.
316	New Century Publishers, 1961 Catalog.
317	Pamphlet entitled "The End of the Comintern" by James P. Cannon.
318	Booklet "Speech at the UN" by Fidel Castro.
319	"Continental Congress of Solidarity With Cuba" (Brazil, 2/63) by FPCC, New York.
320	Pamphlet entitled "The Nature of Man" dated 1 28 /6
321	Pamphlet by The Daily Worker entitled "Jewmania: A Jew Knows."
322	Reprint from 8-12-63 issue of "The New Republic."
323	Russian pocket bearing Oswald's name in Russian script.
325	Brown-covered Russian pamphlet bearing number 70 on its cover.
326	Russian book dated 1961 at Kiev.
327	Russian magazine bearing No. 16 (1962).
328	Russian-English pocket-size dictionary.
329	Literature list of the FPCC, New York.
331	Photograph of Russian workers.
332	Photograph of female Russian workers.
333	Photograph of Russian workers in factory.
334	Photograph of Fidel Castro.
335	FPCC handbills bearing address "L. H. Oswald, 4905 Magazine, New Orleans, Louisiana."
336	Brown Manila envelope with return address in Russian at Moscow.
337	Typewritten sheets entitled Part I The Collective."
338	32-page typewritten dissertation outlining political, economic and labor life of the Russian as well as other guides to the Russian political system (with 5 photographs).
339	Letter from Russian Embassy, Washington, 4-18-63 to Mrs. M. Oswald (in Russian script).
341	Pay vouchers of the Leslie Welding Co., Inc., 11241 West Melrose St., Franklin Park, Ill., covering employment between 7/21 and 9/20/62.
342	Payroll vouchers of the James-Chiles-Stovall, Inc., Dallas, Tex., for the period 10-24-62 through 4-10-63.
343	Payroll vouchers of the Wm. Reily and Co., Inc., New Orleans, La., for the period 5-17-63 through 7-22-63.
344	Birth certificate for June Oswald, date of birth 2-15-6 Minsk, Russia, and Texas Employment Commission cards for Lee Oswald.
345	Alien Registration Card A13 530 645, Marina N. Oswald.
347	Birth data regarding Audrey Marina Rachel Oswald 10-20-63.
349	New Orleans Public Service bills (3) August-September 1963, and IRS card notifying Lee Harvey Oswald of payment from Texas Employment Commission.
350	Petite notebook with Russian script.
351	Booklet containing 50 recipes.
352	Pocket-size fashion magazine entitled "Simplicity" with Manila envelope.
354	Sears Roebuck & Company catalog.

FBI exhibit No.	Description
358	Fort Worth Public Library card of Lee H. Oswald, 2703 Mercedes St., Ft. Worth; one return address label for Mrs. Arthur Young, 35 East 76th St., New York, N.Y., and one Russian language form No. 1026.
361	Two postcards—one directed to Lee H. Oswald, New Orleans from Minsk, Russia, signed "Erik" and one directed to Mr. and Mrs. Lee H. Oswald, Minsk, Russia, from Vernon, Tex., signed "Mother."
363	Letter on letterhead of Pioneer Publishers, 4-26-63, to L. H. Oswald, P.O. Box 2915, Dallas, Tex.
365	Letter from Dept. of State, 1-11-63, to Oswald, Dallas, Tex.
366	Photographs and a tourist pamphlet entitled "Visit the USSR."
367	Photographs.
368	Photographs.
370	Photographs.
378	One Cuera-2 camera; one Sawyer View-Master.
379	One leather container (empty).
380	Applications for "The Militant" (3) and one envelope containing three subscriptions for "The Worker" with return envelope entitled "Publishers New Press, Inc."
381	Russian language newspapers.
382	Red billfold and one scrap of white paper with Russian script in pencil.
400	Letter from Arnold Johnson to Lee H. Oswald, P.O. Box 30061, New Orleans, La., 9-19-63.
406	Letter from James J. Tormey, dated 12-13-62, addressed to Lee H. Oswald, Box 2915, Dallas, on letterhead of Gus Hall-Benjamin J. Davis, Defense Committee, New York.
408	Letter from Arnold Johnson, Director, Information and Lecture Bureau, Communist Party, U.S.A., 7-31-63, to L. H. Oswald, P.O. Box 30061, New Orleans, La.
409	Green shorthand dictionary; "20,000 Words" by Leslie and "Roberts Rules of Order Revised, Seventy-fifth Anniversary."
409	Book entitled "A Study of the USSR and Communism" Rieber and Nelson.
410	Pocket-size editions of Ian Fleming's "The Spy Who Loved Me" and "Live and Let Die."
411	Pamphlet "New York School for Marxist Study, Fall Term, 1963."
412	Letter on letterhead of Jesuit House of Studies, Mobile, Ala., 8/22/63, addressed "Dear Lee" and signed "Gene."
413	Envelope addressed Mr. Lee H. Oswald, 2703 Mercedes Avenue, Ft. Worth, postmarked New York with return address Rm. 320, 799 Broadway, and newspaper clipping, Times Picayune, New Orleans, with article reflecting Oswald's fine of $10 or 10 days for disturbing peace.
414	Handbill, FPCC New Orleans, with address L. H. Oswald, 4907 Magazine St., New Orleans, La.
415	Invoice of the Jones Printing Company, 422 Girod St., New Orleans, La. 6-4-63 billed to Mr. Orleans for 3,000 FPCC circulars, total $9.60, bal. $6.60 paid 6-4-63.
416	FPCC application slip.
417	Envelope with news clippings regarding Oswald defection to Russia and other news clippings concerning Oswald and cartoon regarding defectors.
419	Identification booklet in Russian script containing Oswald's name and No. 01311655.
420	U.S. Marine Corps document appointing "Lee Harvey Oswald 1653230-6741 Pvt. 1st Cl. c/3-2-59."
421	U.S. Air Force document certifying Oswald satisfactorily passed specialized courses in "Aircraft Control and Warning, Operator, 18 June 1957, Kessler AFB."
422	Receipts, Texas School Book Depository, for salary Lee H. Oswald (no date listed).
423	Typewritten "Promise to Repay Financial Assistance Loan for Repatriation" with paid stamp, Department of State (in name of Lee H. Oswald).
424	Letter from Russian Embassy, Washington, addressed to Mrs. Oswald, New Orleans, 8-5-63 (in Russian language).
425	Undesirable Discharge USMC, 9-13-60, Lee Harvey Oswald, 1653230.
426	Letter from U.S. Navy to Lee Oswald, Minsk, Russia, and signed by R. McC. Tompkins, Brigadier General, USMC, 3-7-62.
427	Letter from Department of Navy, 7-25-63 to Lee Oswald, New Orleans, setting forth that no modifications to discharge are warranted.
428	Letter from Paul Piazzo, S. J., 8/1/63, to Oswald on letterhead of Jesuit House of Studies, Mobile, Ala.
430	Letter on letterhead of Jesuit House of Studies, Mobile, Ala., dated 7/6/63 and addressed to "Dear Lee" and signed "Gene."
431	Letter on stationery of Peter P. Gregory, Ft. Worth, Tex., 6-19-62, attesting to Oswald's ability as Russian interpreter and translator.
432	Envelope containing receipt for Post Office Box 6233, Dallas, Tex., dated 11-11-63, for period ending 12-31-63.
433	Single sheet in Russian script containing Oswald's name bearing No. 4-6403.
435	Form bearing months and blank spaces for stamps, in Russian language, with No. 01311655.
436	Folded Russian language form bearing No. 01311655 with Oswald's name in Russian script.
437	Legal-sized sheet in purple ink bearing date 3-23-62, with no official stamp.
438	Letter by Johnny Puckett on letterhead of Ft. Worth Press 6-22-62, addressed to Lee Oswald in charge of Ft. Worth Press.
439	Two payroll vouchers, one from James-Dilks-Overall, Inc., Dallas, 1-2-63, and Wm. B. Reily and Co., New Orleans, 5-31-63.
440	Letter from Department of Navy, 4-2-62, to Lee H. Oswald, Minsk, Russia.
441	One payroll voucher of Leslie Welding Company, Inc., 11241 W. Belmont, Franklin Park, Ill., No. 7613, dated 10-13-62, and one Federal Withholding Tax Statement addressed to Lee H. Oswald, 3519 Fairmount, Dallas, Tex.
442	U.S. Armed Forces Institute certification that Oswald completed high school level tests 3-23-59.
443	Department of Navy certification dated 5-3-57 that Oswald completed Aviation Fundamentals School, Jacksonville, Fla.
446	Passport No. D/731326 in name of Lee Harvey Oswald, date of birth 10-18-39.
447	Separation form, U.S. Marine Corps, in name of Lee Harvey Oswald dated 9-11-59.
448	Birth certificate No. 17024 for Lee Harvey Oswald reflecting birth 10-18-39. Folio 1321, Book No. 207.
461	Nine photographs, a Mexican airmail stamp and New Orleans library card No. NA X5540 in the name of Lee H. Oswald.
462	Sewing kit with medal (religious), Mexican coin, needles, thread, fingernail file.
453	World Atlas.
454	Writing tablet.
455	Postcard of city of New Orleans, five Russian stamps and one 10-cent U.S. stamp.
A2, A6, A8, A9–A13, A17–A20, A32–A66, A71–A79, A81–A85	Clothing, toilet articles, personal effects.
B1	Wallet belonging to Lee Harvey Oswald containing: 1. Social Security card No. 433-32-2337. 2. Selective Service Notice of Classification SSN 41-114-39-592. 3. Department of Defense Service ID card No. N.S. 371,617 USMC No. 1653230. 4. USMC Certificate of Service. 5. Fair Play for Cuba Committee Identification card, National Chairman. 6. Selective Service Registration Certificate. 7. Metro card. 8. FPCC Membership card, New Orleans Chapter.

FBI exhibit No.	Description
1B1	Wallet belonging to Lee Harvey Oswald containing—Con. 9. ID card, US Forces in Japan. 10. Dallas Public Library card. 11. Three photographs. 12. Slip of paper with three addresses, The Worke, The Worker and Russian Embassy.
1B2	Envelope containing: 24 35 mm negatives. Six 3¼" x 2¼" negatives. 1 positive of building. 1 negative of Oswald's wife.
1B5	Imperial brand hunting type knife with sheath.
1B7	Two "Fair Play for Cuba" handbills stamped "L. H. Oswald 4907 Magazine St. New Orleans, La."
1B9	Set of Flash Cards, Russian alphabet and numbers.
2B9	Set of Flash Cards, German phrase—sentence.
3B10	Set of "School Aid" Flash Cards, phonics.
3B11	Negative bearing: "Join The Socialist Workers Party fight for a better world! write Box 2915 Dallas, Texas."
3B12	Slip of paper bearing "The attached 1 Promissory Note (S) for financial Assistance Loans totaling 435.71 are hereby returned marked Paid as final payment of 100.00 is acknowledged.__ Remarks: L. H. Oswald Box 2915 Dallas, Texas."
3B13	Envelope postmarked 12:00 p.m. 11-4-63, Washington, D.C., with return address "Embassy of the Union of Soviet Socialist Republics, Washington 6, D.C."
3B14	Envelope addressed to "To Whom It May Concern" with return address Peter F. Gregory, 1603 Continental Life Building, Fort Worth 2, Texas."
3B15	Envelope marked "Passports and health certificate."
3B16	Envelope postmarked 12:? 8/2/63, Mobile, Ala., addressed to Mr. Lee Oswald, 4907, Magazine St., New Orleans, La., return address "Paul Plazza, S. J., Jesuit House of Studies, Spring Hill Station, Moulle, Ala."
3B19	Top of yellow box stamped inside "R-42 Mar 24 '55."
3B20	Two Manila envelopes.
3B21	Envelope marked "Personal Military Papers and Birth Certificates."
3B22	Blue loose leaf binder containing Manila envelope, 6 Fair Play for Cuba Committee handbills, piece of cardboard, 3 celluloid insert pages, postal card photograph of Karl Marx and photograph of a building.
3B23	Two frames of 35 mm negatives found in Item 7B (Russian book).
3B24	Unaddressed American Greetings Corps, Christmas card with envelope.
3B26	Unused Post Office Change of Address form.
3B29	Pages 7 through 10, of section 6 of "The Times-Magazine" newspaper, dated 8-22-63.
3B27	8 newspaper clippings, 1 instruction sheet for child's car seat and 1 film mailer bag.
3B28	Manila envelope with notation "Grand Jury Exh.," small photograph of Oswald and 6¢ U.S. airmail stamp.
3B33	3 prescriptions in Russian and Arlington Heights Senior High School student identification card for Lee Oswald.
C26 – C28, C30, C33–C36*	Clothing and personal effects of President Kennedy.
C41 A–C*	Seven paraffin casts from Oswald, with related items.
C61–C70*	Ten cartridge cases, 6.5 mm Japanese caliber, recovered at gun range, Dallas, Tex.
C71–C136*	Sixty-six 6.5 mm Mannlicher-Carcano cartridge cases from gun range, Dallas, Tex.
C139–C147	Belt, tie, tan sweater, blue-gray shirt, red and gray sport shirt, blue shirt, blue sport shirt, white shirt, olive sweater.
C149–C151*	Three cartridge cases from A. R. Paparti, Barr's Gun Shop, Dallas, Tex.
C152*	6.5 mm cartridge case made available by Mrs. Lovell T. Pena.
C153–C156*	Four 6.5 mm cartridge cases from Irving, Tex., Police Department.
C157–C160*	Four 6.5 mm cartridge cases from Mrs. Virginia Goodwin.
C161–C225*	Sixty-five cartridge cases from gun range, Dallas, Tex.
C227–C248	Clothing.
C249*	Five-page typewritten summary of speech given by Lee Harvey Oswald on July 27, 1963.
C254–C305	Clothing, personal effects, books.
C306*	Hunting knife black and silver striped handle in sheath received from Imperial Knife Company, Incorporated, Providence, R.I.
C308*	Hunting knife black and gold-striped handle, in sheath, received from Imperial Knife Company, Incorporated, Providence, R.I.
C309*	Box of 20 6.5 mm Mannlicher-Carcano cartridges from John Thomas Mason, Mason's Gun Shop, 7402 Harry Hines Boulevard, Dallas, Tex.
C310*	Box of 20 6.5 mm Mannlicher-Carcano cartridges from John H. Brinegar, The Gun Shop, 11483 Harry Hines Boulevard, Dallas, Tex.
C315	One girls' hand-engraved expansion identification bracelet.
C316	Gold paper-covered box.
C317	Metal plate bearing the engraved names "Marina" and "Lee."
C318	Metal plate bearing engraved name "Marina."
C319	One men's hand-engraved expansion identification bracelet from H. L. Green Company, 1623 Main Street, Dallas, Tex.
C323*	Bottle cap found in Dealey Plaza.
C324*	Piece of metal found in Dealey Plaza.
C326*	Piece of wire from window ledge on 6th floor of Texas School Book Depository building.
D2*	Known paper and type samples from Klein's.
D4	Letters by Oswald to Secretary of Navy and USMC.
D9	Eleven payroll checks and insurance record card of Oswald.
D10	Application for immigration visa, fingerprint card and application for new alien registration card (all signed Marina Oswald).
D11	Twenty-six checks, questionnaire, etc. in handwriting of Oswald.
D14	Employment application by Oswald.
D15	Three magazines.
D17	Post Office box application in three parts.
D18	Post Office change of address form dated 5-12-63, letter to Leslie Welding Company from Oswald, Selective Service registration card, DD Form 214 and two applications for employment.
D21	P.O. Change of Address form.
D22	Post Office box applications (in two parts) and change of address form.
D23	Electric and/or gas service order signed by Oswald.
D25*	Three FPCC handbills.
D26	Hand printed application for employment by Oswald in July 1963.
D29	W-4 Form dated February 5, 1955, signed by Lee Harvey Oswald; W-4 Form dated February 5, 1955, signed by Marguerite Oswald; A-1 Employment Service, New Orleans, Louisiana; application for employment signed by Lee Harvey Oswald; and referral card of employment consultant H. La Roche.
D31	Layout, job ticket and handbills obtained from Jones Printing Co., New Orleans, La. FPCC card, etc., obtained from Mallers Service Co., New Orleans, La.
D32	Passenger immigration questionnaire dated 9-16-59, signed by Oswald.
D33	47 photographs recovered by Dallas Police Department.
D34*	Liberty Hotel, New Orleans, registration signed by Oswald.
D35	Bus transfer, bracelet inscribed "Lee," key ring, narrow black belt with buckle and property receipt.
D36*	Photocopy Mexico City hotel register book signed by Oswald.
D37*	Four-page interview record signed by Oswald.
D38*	"Cotton Pickin" application signed by Oswald.
D39*	Two envelopes obtained from property of Oswald and Mrs. Paine.
D40	Envelope and letter to New Orleans Public Library.
D41	Chamber of Commerce Map of Dallas.

FBI exhibit No.	Description
D43(117)	Eight and a half sheets of paper written in green ink regarding CPUSA.
D48	Postcard from Riviera Beach, Fla.
D49*	Registration card, La Salle Hotel, New Orleans.
D50*	Guest register, Fox and Hounds, Milwaukee.
D51*	Checks, claim cards and Texas Employment Commission forms of Oswald.
D52*	Xerox copy of application to visit Mexico.
D55*	Hand printed anonymous letter from Buffalo.
D56*	Check signed Virgil L. Reece.
D57*	Cuban letter to Oswald.
D58*	Cuban letter to Attorney General.
D59*	Letter to Mrs. Gwynne Gaseaway.
D60*	Brown paper envelope and paper bag from Irving, Tex., Post Office.
D61*	Anonymous letter signed Fabian McElroy.
D62*	Two paper tape samples from the home of Mrs. Paine.
D64	Two dictionaries and six blank postcards (Mexican).
D65*	Xerox copy of W-4 Form of Oswald.
D66*	Xerox copies of nine pages of Employment reports by Oswald.
D67*	Photographs of State Department records of Oswald.
D68*	Application for employment at Goldrings, New Orleans, by Oswald.
D69	Seven-page handwritten resume on lined notebook paper concerning background of Oswald.
D70	Photocopies bearing known writings of John T. Dutcher and Daniel Quinn.
D71	SS Notice of Classification in Name Alek James Hidell.
D73	Commercial Employment Service Application dated 6-26-62 signed by Lee H. Oswald.
D74	Russian cookbook containing "Walker" note.
D75	Bracelet engraved "Marina."
D76*	Letter to Attorney General signed Ernesto Flores Luna.
D79	Two empty boxes marked "6.5 Italian Ammunition."
D80*	Minox camera obtained from Mrs. Ruth Paine.
D81*	Three Russian publications obtained from Dennis Ofstein.
D82	Four miscellaneous photographs found in Russian language cookbook of Marina Oswald.
D83*	Printed card entitled "Rules for Dating" enclosed from [illegible]
D84*	Three [illegible]
D85*	Two [illegible]
D86*	Typed letter [illegible]
D87*	Check-out slip for D 86.
D89*	Wheat Lumber Company application for employment.
D90*	Form W-4, dated 10-16-63 obtained from O. V. Campbell, Texas School Depository Bldg., Dallas, Texas.

FBI exhibit No.	Description
D91*	Photograph and negative of sheet torn from calendar obtained from Mike Riebuhr, Dallas, Texas.
D97*	Xerox copy of auditor's stub of Continental Trailways bus ticket.
D98*	Envelope containing anonymous hand printed letter and newspaper coupon.
D99*	Letter on Bureau of Prisons Form No. 70 obtained from the warden, Federal Correctional Institution, Seagoville, Texas.
D100*	Anonymous typewritten envelope address to "Letters to the Editor," Newsweek.
D101*	Anonymous typewritten letter addressed to Senator Thomas H. Kuchel.
D102*	Century Arms Incorporated order reflecting sale of 700 6.5 caliber Italian carbines to Aldens.
D103*	Original list of serial numbers of 700 Carcano Italian carbines received by Century Arms, Incorporated.
D104*	Twenty-one items from Texas Employment Commission files.
D105*	Eleven photostatic copies of Texas State Warrants issued to Lee Harvey Oswald.
D106*	Xerox copy of Transportation Frontera Bus Company passenger list.
D107*	One copy of Flecha Roja passenger list.
D108*	Handbill "Hands Off Cuba."
D109*	W-4 form dated 1-17-56 obtained from J. R. Mitchell, Inc., New Orleans, Louisiana.
D110*	Eleven time cards obtained from William B. Reily and Company, Incorporated.
D111*	Five payroll time cards obtained from G. P. Tujaque.
D112*	W-4 form dated 11-12-55 obtained from G. P. Tujaque, 422 Canal St., New Orleans, Louisiana.
D113*	Two employee's record sheets obtained from G. P. Tujaque, 422 Canal St., New Orleans, Louisiana.
D114*	Release dated 1-17-56 signed by Lee Harvey Oswald obtained from G. P. Tujaque, 422 Canal St., New Orleans, Louisiana.
D116*	Roll of 16 mm duplicate film print of movies by WDSU-TV.
D117*	Roll of 16 mm duplicate film print of silent movie by WDSU-TV.
D118*	Receipt [illegible]
D119	[illegible]
D120	[illegible]
D121*	[illegible]
D122*	Envelope containing typewritten letter addressed "Times Herald, Dallas, Texas."

FBI exhibit No.	Description
D123	Four-page handwritten letter in Russian from Ruth Paine to Marina Oswald.
D124*	Known handwriting and hand printing of Jose Forrea.
D126*	Envelope and accompanying one-page hand printed letter addressed to "Mr. Jack Ruby c/o Dallas County Jail."
D126*	Handwritten anonymous letter beginning "To the Investigating Committee."
D127*	Envelope and accompanying one-page handwritten letter bearing handwritten address "The Prime Minister • • •."
D137*	Envelope bearing handwritten address "Mrs. Marguerite C. Oswald • • •."
D138*	Handwritten note bearing printed word "Strictly Confidential • • •."
D139*	Envelope bearing typewritten and hand printed address "Mrs. Marguerite Oswald • • •."
D140*	Slip of paper bearing typewritten message beginning "Do you put • • •."
D141*	One-page typewritten letter bearing heading "Emilio Carranza 4-a Teamlucan, Pue. Mexico."
D142*	Certified copy of an entry of birth #BX 634662 regarding Albert Osborne.
D143*	Original and carbon of typewriting samples from the typewriter of Victor Cohen.
D144*	Three copies each of four Mexican Forms FM-11.
D145*	Camera, Baby Brownie Special, originally belonged to Lee Oswald but given to his brother's daughter about 1958.
D147*	Registration card, Rambler Motel, Wichita, Tex., for Mrs. Ruth Paine.
D148*	"Tag Repair" No. 18374 for "Oswald" obtained from Irving Sports Shop, Irving, Tex.
D150*	Polaroid photograph of the Presidential car on Stemmons Expressway, Dallas en route to Parkland Hospital.
D151*	Page from record book of Mr. Fred W. Rupp, Perkasie, Pa. which reflects his work note indicating a shipment of carton No. 3376.
D152*	Photostat of undated bill of lading No. 3178 furnished by Arthur Akers of Rapid Transportation Transfer, Incorporated, Louisville, Ky., evidencing shipment of 10 cartons of furniture.
D153*	[illegible]
D154*	Dallas Transit Company transfer No. 06-51 and Dallas Transit System route map. Certified transfer points.
D155*	One "Rare-Make" paper cap Label D1-61 allegedly worn by Oswald at the TSBD.
D156*	Empire Sporting Goods, Limited, Invoice No. 1673, covering sale of 700 6.5mm Italian rifle to Century Arms, Incorporated.

FBI exhibit No.	Description
D157*	Memorandum for Bill of Lading from H. P. Welch Company for 26 cases containing 700 rifles consigned to Aldens.
D158*	Photostatic copy of Consumption Entry No. 77, Bureau of Customs for shipment of items of which is 700 Italian rifles.
D159*	Photostatic copy of examination and appraisement of entry No. 77, examined by U.S. Bureau of Customs.
D160*	Duplicate of H. P. Welch Company, Burlington, Vt., shipping order No. B-3696 for 26 cartons containing 700 rifles dated 7-6-62.
D161*	Microfilm copy of invoice No. 8034, Century Arms, Incorporated, pertaining to shipment of 6.5 caliber Italian carbines to Aldens.
D162*	Microfilm copy of Aldens checking slip No. 203779, pertaining to shipment of 6.5 caliber Italian carbines to Aldens.
D163*	One purchase order of Klein's Sporting Goods, Incorporated, showing effective date of 1-15-62.
D164*	Five pages of "Customer's Invoice" of Crescent Firearms, Inc.
D166*	One invoice of Crescent Firearms, Inc., bearing invoice No. 3178, dated 2-7-63.
D168*	One check with attached voucher of Klein's Sporting Goods, Inc., both bearing the number 28960, check dated 3-1-63 and voucher dated 2/7.
D168*	Consignees Memo Pre No. A704857, dated 2-12-63.
D169*	Delivery receipt No. 3-041342, dated 2-13-63.
D170*	Cashier's copy, Chicago run sheet, No. 46909, dated 2-21-63. (Items D171 through D179 were all obtained from Mr. Louis Peidcott, president, Crescent Firearms, Inc., New York City.)
D171*	Bill of lading, shippers No. 3178.
D172*	Sale Order from Crescent Firearms, Inc., No. 3178, dated 2-7-63.
D173*	Office copy of 10 shipping slips reflecting carton numbers and gave numbers in each carton.
D174*	Bill of lading No. 18 dated 9-29-60.
D175*	Copy of inventory list relating to shipment of Oswald's rifle.
D176*	Copy of Warehouse Entry Form from Freedman and Slater, Inc., dated 10-24-60.
D177*	Copy of notice with estimated date of arrival of shipment dated 10-19-60.
D178*	Copy of a bill of lading dated 10-25-60.
D179*	Copy of sales invoice No. 63103 dated 10-16-62.
D180*	Photostatic copy of Canadian National Railways Straight Bill of Lading dated 6-29-62.
D181*	Photostatic copy of shipping order of H. P. Welch Company dated 6-29-62.
D182*	Yellow duplicate copy of H. P. Welch Company way bill No. B-3696.
D183*	Photostat of customer's copy of H. P. Welch Company way bill No. B-3696 showing Eastern Express Company way bill No. 161947.
D184	Vol. I of "The Outline of History" by H. G. Wells.
D185	Vol. II of "The Outline of History" by H. G. Wells.
D186*	Employee's Withholding Exemption Certificate, dated 10-12-62, signed Lee H. Oswald.
D187*	Jaggers-Chiles-Stovall, Inc., Dallas, Tex., time records prepared by Lee Harvey Oswald.
D188*	Two copies of payroll records reflecting the number of hours worked by Oswald while employed at the Texas School Book Depository.
D189*	Warehouse receipt dated 11-9-60 obtained from Mr. Frederick Peterson, president, Harborside Terminal Co., Inc., Exchange Place, Jersey City, New Jersey.
D190*	Five delivery orders numbered 50133, 14473, 01468, A01649, and A00642 obtained from Mr. Frederick Peterson, president, Harborside Terminal Co., Inc., Exchange Place, Jersey City, New Jersey.
D192*	Color prints made in connection with autopsy of Lee Harvey Oswald.
D193*	One sample of brown wrapping paper and a strip of 3" Manila gummed tape.
D195*	One sample of 60 lb. Kraft wrapping paper.
D196*	Envelope postmarked "Chicago Ill Mar 18 1964 PM," bearing hand printed address "Texas Atomic Energy Research Foundation Electric Building Fort Worth, Texas," and accompanying one-page hand printed letter and three hand printed slips of paper.
D197*	Envelope postmarked "Dallas, Tex. 24 Mar 1964 AM," bearing handwritten address "Dallas FBI Office Dallas, Texas," and accompanying one-page handwritten letter beginning "Dear Sir: I would like • • • • and ending "• • • Yours Dub."
D198*	Photocopy of envelope postmarked "Houston, Tex. 26 Nov 1963 60 PM," bearing hand printed address "Russian Embassy Washington D.C." and accompanying hand printed letter beginning "The Man Oswald • • •" and ending "• • • I have the Original."
D199*	Greyhound International Exchange Order No. 43599, dated 10-1-63.
D200*	Greyhound Passenger ticket No. 6250000, dated 10-3-63.
D201*	Photocopy of delivery receipt of Eastern Express, Inc., No. 19147.
D202*	Section of Transylvania Greyhound Bus Line ticket No. 13913 and seven photocopies of various other documents.
D203*	Envelope and one-page note written in French to Governor John Connally, signed "Angele."
D204*	Envelope postmarked "Dallas, Tex. Apr 3 1964," bearing typewritten address "TO Mr. J. Edgar Hoover, The Head of the FBI, Insure of the White House, Washington DC," and typewritten slip of paper beginning "Dallas Texas April 3th 1964 TO Mr. J. Edgar Hoover • • • •" and ending "• • • It will be valuable."
D205*	Envelope postmarked "Chicago, Ill. 6 MAR 1964," bearing hand printed address "—Bureau of Accounts—United States Treasury Dept. 301 U.S. Court House Kansas City, Missouri,—64106" and accompanying 8 hand printed slips of paper, one beginning "Take Into Custody • • •" and number eight ending on reverse side "Yard—British Operative."
D208*	Paper and tape sample obtained from Mrs. Ruth Paine.
D209*	Color transparency obtained from Mrs. Marie Hyde.
D210*	Xerox copy of Lee Oswald's 1962 income tax refund check.
D211*	35 mm color slide taken in Minsk, U.S.S.R., and obtained from Mrs. Kramer.
D212*	Envelope and accompanying one-page handwritten letter beginning "The people of US. have • • •."
D215*	Envelope and accompanying two-page typewritten letter beginning "Gentlemen: A while back I overheard • • •."
D217*	Envelope and accompanying one-page typewritten letter beginning "Dear Mr. Attorney General: A Mr. Johnny Carson, Host of the • • •."
D219*	Anonymous letter and envelope and three news clippings received by Dallas, Texas, F.B.I. office 5/24/64.
D221*	Envelope and four-page accompanying handwritten letter obtained from Mr. Larry Temple, Administrative Asst. Executive Dept. State of Texas, Austin, Texas.
D222*	One 9 by 11½ inches Manila file folder obtained from Fr. Dimitri Royster, Pastor, St. Seraphim Eastern Orthodox Church, Dallas, Texas.
D223*	Three sheets of paper bearing known handwriting and hand printing of Walter R. Newell.
D224*	Three sheets of paper bearing known handwriting and hand printing of George W. Allman.

FBI exhibit No.	Description
D228	Seven 3 by 5 inches cards, four cards bearing the name "A. J. Hidell" and three cards bearing the name "A. J. Hidell."
D227*	One Thermofax copy of a work order concerning Lee Harvey Oswald obtained from Mr. Wm. H. Hefner, Texas Employment Commission, Fort Worth, Texas.
D228*	Envelope and accompanying typewritten letter beginning "Mr. Kennedy if you * * *."
D229	Original slip of paper found in Lee Harvey Oswald's wallet at the time of his interview by Lt. Martello.
D230*	Three one dollar bills.
D231*	Negative of folder bearing photograph and negative of a card bearing handwritten notation.
D232*	Airmail envelope and accompanying one-page hand printed and handwritten letter beginning "Mr. J. Edgar Hoover, Sir as a * * *."
D233*	Envelope and accompanying one-page hand printed letter beginning "Mr. Oswald: Since you * * *."
D234*	Yellow-colored leaflet entitled "Hands Off Cuba."
D235*	White-colored leaflet entitled "The Truth About Cuba Is In Cuba."
D236*	One $5.00 Federal Reserve Note.
D237*	Transportes del Norte bus ticket stub No. 13688.
D238	Book entitled "Learning Russian" by Nina Potapova.
D240*	Map of Mexico City published by Editorial Flecha, Mexico, D. F.
D241	Pamphlet in English entitled "Fuerza Brava."
D242	Library pass dated April, 1962, written in Russian, in the name LEE HARVEY OSWALD.
D243	One deck of "Aviator" brand playing cards.
D244	Envelope and one-page letter dated 16-5-64, written in Russian to Mrs. Marina Oswald.
D245	One-page handwritten letter in the Russian language ending in English "P.S. Excuse me for making you wait."
D246	Envelope and one-page letter dated 25-02-64, written in Russian to Mrs. Marina Oswald.
D247	Envelope and one-page letter dated 29-10-63, written in the Russian language to Mrs. Marina Oswald.
D248	Envelope with no postmark or stamp and accompanying two two-page letters to "Marina Oswald" from "Ruth Paine."
D249	Six United States of America Parcel Post Customs Declaration tags, three bearing the signature "Lee H. Oswald."
D250	One Russian-German textbook.
D251	Hard-cover journal entitled "Diary of Impressions & Observations of Lee Hitsek Began Sept. 5, 1963."
D252	Slip of paper bearing known handwriting of Lev (Leo) Setyaev.
D253	P.O. Change of Address card of L. H. Oswald dated Oct. 10, 1963 (change from Fort Worth to Dallas).
D254	Book written in Russian for study of English, bearing note on flyleaf to Marina Oswald by Mrs. Ruth Paine.
D255	Book entitled "English" for study by Russian-speaking persons.
D256	English primer for Russian-speaking persons entitled "English in Pictures."
D257	Book for advanced study of the English language by Russian students entitled "English."
D258	Russian-Polish dictionary with blue cover.
D259	Three stapled documents: (1) Registration card of June Oswald at Richmond Freeman Memorial Clinic; (2) Appointment slip for June Oswald for 11-21-63 at Richmond Freeman Memorial Clinic; (3) Dental appointment slip for Marina Oswald for November 20.
D260	Name tag, written in Russian, for June Oswald at time of her birth.
D261	Photograph of group including Mr. and Mrs. Alexander Ziegar, Eleanor Ziegar, Lee Harvey Oswald, Marina Oswald and June Oswald.
D262	Photograph of Eleanor Ziegar and Anatole Kholodov taken in Minsk, Russia, May, 1962.
D263*	One-page handwritten letter dated 11-26-63, to "Mrs. Ruth Paine" from "Walter Neunron."
E1	Personal History Form of New Orleans High School dated June 2, 1955 for Lee Oswald.
E2	$13.87 obtained from Lee H. Oswald by the Dallas Police Department at the time of his arrest.
E3*	Transportes Frontera Bus Line form with known date stamp impressions.
E4*	One block of forms of the Transportes Frontera Bus Line.
E5*	Three pages of handwriting of George Bouhe.
E6*	One $5.00 Federal Reserve Note, 6N L21701555C.
E7*	One sheet of paper bearing known handwriting of Francisco Alvarado.
E8*	Known handwriting of Lev, Leya Bodian.
E9*	Envelope and three pages of Exalic writing.
E10*	Envelope and two pages of Exalic writing.
E11*, E12*	Envelope and two-page letter to Governor John Connally, Texas, postmarked Kenosha, Wis.

4. Other items of evidence, which may be assigned exhibit numbers, as hereinafter described.

Magnetic tape recording labeled "Mary Garraty and Jeremiah Collins interview Father Huber, C.M., the priest who administered the last Rites to President John F. Kennedy."

16 mm. black and white film of President's motorcade taken by an unidentified amateur photographer; furnished to the Commission by Warner Productions, Inc.

8 mm. DCA home movie entitled "President Kennedy's Final Hour," produced by Dallas Cinema Associates, Inc.

24 tape recordings of programs involving investigation of the assassination.

16 mm. black and white film showing the sites of the assassination and an interview with a gunsmith, presumably Dial Ryder of Dallas.

16 mm. black and white film identified only as "Wade speaking at Dallas PD. Some silent film."

16 mm. black and white NBC news film of "Oswald speaking at Assembly Room 11/22/63."

Reels C5 and C6 of NBC 16 mm. Kinescope of TV tapes, November 24, 1963; relate to shooting of Oswald.

Taped copy made from original tape of the program "Conversation Carte Blanche" broadcast over Radio Station WDSU, New Orleans, La., on 8/21/63 with Lee Harvey Oswald as a participant.

NBC audio tapes, Reels 1-3, unidentified as to content.

5. All other items of evidence considered by the Commission, if any, which are subject to this notice and not otherwise described in the provisions of paragraphs 1, 2, 3, or 4 of this Appendix.

6. The inclusion of any particular item in the descriptions of items of evidence set forth in the provisions of paragraphs 1, 2, 3, 4 or 5 of this Appendix does not constitute a determination that such item was privately owned prior to publication of this notice. Any such item title to which was in the United States on the date of publication of this notice is not acquired by virtue of such publication, but shall be preserved together with the items of evidence acquired hereunder. The acquisition of an item of evidence hereunder does not constitute an acquisition of any copyright or other literary property rights associated with such item.

[F.R. Doc. 66-11999; Filed, Oct. 31, 1966; 4:49 p.m.]

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. DeLoach

FROM : A. Rosen

DATE: June 2, 1970

1 - Mr. DeLoach
1 - Mr. Rosen
1 - Mr. Malley
1 - Mr. Shroder
1 - Mr. Raupach
1 - Mr. Bolz
1 - Mr. Walters
1 - Mr. Conrad

Tolson
DeLoach
Walters
Mohr
Bishop
Casper
Callahan
Conrad
Felt
Gale
Rosen
Sullivan
Tavel
Soyars
Tele. Room
Holmes
Gandy

SUBJECT: MARINA N. OSWALD PORTER;
ET AL. VS.
UNITED STATES
U.S. DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
CIVIL ACTION #CA3-2282
FEDERAL TORT CLAIMS ACT

This pertains to letter dated May 28, 1970, from Erich F. Klein, Jr., Dallas, Texas, attorney for Marina Oswald, wife of Lee Harvey Oswald, concerning claim made against the United States to recover value of evidentiary items taken from Marina and/or Lee Harvey Oswald following the assassination of President Kennedy. The letter states that claim is being made ". . . for loss or damage to personal property caused by the negligent or wrongful acts or omissions of the employees of the Federal Bureau of Investigation. . ." Representative of Civil Division of Department states FBI not negligent.

By way of background, Public Law 89-318, passed November 2, 1965, gave title to the United States to those exhibits being maintained by the Warren Commission. This law also permitted claims for just compensation to be filed against the United States. During October, 1967, Marina Oswald filed a suit under the Tort Claims Act (Title 28, Section 2675), requesting to be reimbursed $500,000 for certain items, including clothing, books, papers, and other personal property belonging to her or her deceased husband which are being maintained in the National Archives.

Irwin Goldbloom, Attorney, Civil Division, Department of Justice, advised on June 2, 1970, that a number of hearings have been held in District Court in Texas and Washington, D. C., concerning Mrs. Oswald's suit. During May, 1970, Federal Judge Estes, Dallas, after hearing motions decided that the value of the property would be as of the time the Government obtained title. This would be November 1, 1966, when all of the exhibits furnished to the National Archives by the Warren Commission were set forth in the Federal Register.

RECD-24 6936

JUN 9 1970

According to Goldbloom, Marina Oswald and her attorney are claiming the value of some of the exhibits in their current condition has been

Enc. Memo 6-3-70

CONTINUED - OVER

RIS:jny
(9)

6 JUN

lessened due to chemical analysis and other logical examinations conducted by our Laboratory. As Mr. Goldbloom indicated, many of these documents were treated chemically to determine if latent fingerprints, secret writing, codes, etc., were present; and, as a result of these examinations, some papers were discolored and in some instances the writing was obliterated. He noted, however, that in each instance, photographs were taken prior to the examination and these are currently available in the Archives.

Goldbloom stated he had received a copy of Klein's letter, dated May 28, 1970, and, if desired, the Department will reply completely disclaiming any negligence, wrongful acts, or omissions on behalf of employees of the FBI. He further stated the Department is vigorously opposing Marina Oswald's exorbitant claim and feels the matter will probably end up with a jury trial resulting in her being awarded between the $10,000 the Department considers reasonable market value and the $40,000 value submitted by Mrs. Oswald.

ACTION: Attached for approval is a letter to the Civil Division, Department of Justice, confirming conversation with Attorney Goldbloom. Attached letter requests the Department respond to the May 28, 1970, letter from Mrs. Oswald's attorney and to specifically disclaim therein any negligence, wrongful acts, or omissions by employees of the FBI.

FD-36 (Rev. 5-22-64)

FBI

Date: 6/2/70

Transmit the following in _____ (Type in plaintext or code)

Via AIRTEL _____ (Priority)

TO : DIRECTOR, FBI (62-109060)

FROM: SAC, DALLAS (100-10461) (C)

ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY,
NOVEMBER 22, 1963, DALLAS, TEXAS
MISCELLANEOUS - INFORMATION CONCERNING

OO: DALLAS

Re Bureau telephone call to Dallas 6/1/70 and Dallas telephone call to Bureau 6/2/70, both with Inspector REX I. SHRODER.

Bureau requested Dallas to determine what claims of negligence had been made against FBI employees with respect to damage to evidence while in the possession of the Bureau in captioned case and what proof, if any, was available.

The following communications are referenced with respect to the civil suit of MARINA N. OSWALD PORTER, Civil Action #CA-3-2282 for the assistance of the Bureau.

1. Dallas airtel to Bureau, 10/31/67, captioned "LEE HARVEY OSWALD, aka (DECEASED) IS - R - CUBA" Bureau file #105-82555
2. Bureau airtel to Dallas, 11/6/67, bearing same caption as #1.
3. Buairtel to Dallas, 12/5/67, bearing same caption as instant communication.
4. Dallas airtel to Bureau, 1/3/68, bearing same caption as instant communication.

2 - Bureau
1 - Dallas
RPG:jls
(3)

REC-10 6937

JUN 10 1970

6-KMR

JUN 18 1970

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

5. Dallas airtel to Bureau, 1/5/68, bearing same caption as instant communication.
6. Dallas airtel to Bureau, 1/10/68, bearing same caption as instant communication.
7. Dallas airtel to Bureau, 1/19/68, bearing same caption as instant communication.
8. Bureau airtel to Dallas, 1/26/68, bearing same caption as instant communication.
9. Dallas airtel to Bureau, 1/30/68, bearing same caption as instant communication.

On 6/2/70 AUSA KENNETH J. MIGHELL, Dallas, Texas, made available a copy of a letter addressed to Bureau headquarters dated 5/28/70 from Attorney ERICH F. KLEIN, JR., of the law firm, Lyne, Klein, and French, 14th Floor, Adolphus Tower, Dallas, Texas, a copy of which is known to be in the possession of the Bureau.

Mr. MIGHELL advised that in connection with the Civil Action #CA-3-2282, it had been ruled that the time of taking of the items referred to in the Federal Register, Volume 31, No. 212, dated 11/1/66 had been ruled as being the time the Attorney General seized the property pursuant to public law #89-318. As a result, experts for the government and for MARINA OSWALD PORTER have given testimony as to the value of the property prior to it being seized by the FBI and at the time of taking and that comments of such experts have been made with respect to certain damage resulting from chemical analyses.

Mr. MIGHELL stated that Civil Action #CA -3-2282 is being handled by Attorney ERWIN GOLDBLOOM of the General Litigation Section of the U.S. Department of Justice. He further stated that testimony from experts for both sides as to the value of the property seized was taken at Washington, D.C. on 1/27/69 and that transcript of such testimony is available through Mr. GOLDBLOOM. Mr. MIGHELL advised that additional testimony was taken from the experts for MARINA OSWALD PORTER at Dallas, Texas, on 5/6/70 but that a transcript of such testimony will not be completed for 7 to 10 days and upon completion will be furnished directly to Mr. GOLDBLOOM.

Mr. MIGHELL stated that to his knowledge the only claims of negligence on the part of FBI employees made in the testimony of the experts for both sides was that such items of evidence had been subjected to certain chemical analyses.

He stated that he understood in some instances the experts for MARINA OSWALD PORTER had testified that the chemical analyses of certain items may have even enhanced the value of such items.

The above information is furnished the Bureau for its information in accordance with request of Inspector SHRODER and no further action is being taken by Dallas, UACB.

Assistant Attorney General
Civil Division

Director, FBI

June 3, 1970

1 - Mr. DeLoach
1 - Mr. Rosen
1 - Mr. Malley
1 - Mr. Shroder
1 - Mr. Raupach
1 - Mr. Bolz
1 - Mr. Walters
1 - Mr. Conrad

MARINA N. OSWALD PORTER;
ET AL. VS.
UNITED STATES
U. S. DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
CIVIL ACTION #CA3-2282
FEDERAL TORT CLAIMS ACT

This will confirm the telephone conversation between Mr. Irwin Goldbloom of your Division and R. L. Shroder of this Bureau on June 2, 1970.

Mr. Goldbloom was advised of the receipt of the letter dated May 28, 1970, from Erich F. Klein, Jr., attorney for Marina Oswald Porter. This letter concerns a claim made against the United States to recover the value of certain items taken from Marina and/or Lee Harvey Oswald following the assassination of President Kennedy. Mr. Goldbloom indicated the Department had received a copy of this letter.

MAILED 11
JUN - 3 1970
COMM-FBI

Mr. Goldbloom reviewed the legal proceedings which have been held in connection with Mrs. Porter's suit. He pointed out the Department is vigorously opposing her inflated claim. With respect to the statement in the letter that FBI employees were negligent or committed wrongful acts or omissions, Mr. Goldbloom advised this was erroneous.

As he indicated, many of these documents were treated chemically to determine if latent fingerprints, secret writing, and codes were present. As a result of these examinations, some of the papers were discolored and in some instances writing was obliterated. He further pointed out that in each instance the FBI took photographs prior to examination of these documents, and these photographs showing the original condition of the items examined are currently available in the National Archives.

Tolson
DeLoach
Walters
Mohr
Bishop
Casper
Callahan
Conrad
Felt
Gale
Rosen
Sullivan
Tavel
Soyars
Tele. Room
Holmes
Gandy

1 - SAC, Dallas (Enc.)

NOTE: See Rosen to DeLoach memo, 6-2-70, captioned as above, RIS:jny.

RIS:jny
(12)

56 JUN 22 1970

MAIL ROOM ☐ TELETYPE UNIT ☐

Assistant Attorney General
Civil Division

Mr. Goldbloom added that, if desired, the Department, as attorneys for the Government, would reply to Mr. Klein's letter. It would be appreciated, therefore, if you would respond to this letter specifically setting forth therein a disclaimer as to any negligence, wrongful acts, or omissions by employees of the FBI concerning the handling or processing of the items in question. It is further requested that this Bureau be furnished a copy of your reply.

1818½ Dorothy St.,
.A. Calif., 90049
June 1, 1970

J. Edgar Hoover
Director
Federal Bureau of Investigation
United States Department of Justice
Washington, D.C. 20535

62-109060

Dear Mr. Hoover,

Thank you for your reply of May 22, to my inquiry of May 12.

I feel further clarification is necessary, inasmuch as your letter makes no reference to the FBI receipt accompanying my letter which prompted my initial inquiry. Apparently, in my rather detailed discussion of the matter at hand, I failed to make a distinction between the facts as generally known, and my specific question.

Your letter refers to Warren Commission Exhibit 843 in the context of my inquiry. Precisely, I am asking: Is the physicial evidenc designated Warren Commission Exhibit 843 the evidence for which the attached FBI receipt was issued? In other words, do the FBI receipt and Warren Commission Exhibit 843 designate the same physical evidence?

Thank you for your attention to this matter.

Sincerely yours,

David Lifton

Enclosure (1)

Xerox copy of FBI receipt dated 22 November 1963, signed by Special Agents Francis X. O'Neill, Jr. and James W. Sibert, and issued to Captain J.H. Stover, Jr., Commanding Officer, U.S. Naval Medical School, National Naval Medical Center, Bethesda, Maryland.

REC-19 6938

15 JUN 16 1970

22 November 1963

From: Francis X. O'NEILL, Jr., Agent FBI
James W. SIBERT, Agent FBI

To: Captain J. H. STOVER, Jr., Commanding Officer, U. S. Naval Medical School, National Naval Medical Center, Bethesda, Maryland

1. We hereby acknowledge receipt of a missle removed by Commander James J. HUMES, MC, USN on this date.

Francis X. O'NEILL, Jr.

James W. SIBERT

7928

Form DJ-1?C
(Ed. 4-26-65)

UNITED STATES GOVERNMENT

DEPARTMENT OF JUSTICE

Memorandum

TO : Mr. J. Edgar Hoover
Director, Federal Bureau of Investigation

DATE: June 16, 1970

FROM : Carl Eardley
Deputy Assistant Attorney General
Civil Division

CE:amc
129-11

SUBJECT: Assassination of President Kennedy

Senator Muskie has submitted the enclosed letter and materials of one Ivan Dryer. For such study as you consider appropriate.

Attachment
ENCLOSURE

EXP. PROC.
JUN 17 1970

REC-50

62-109060-6938X

JUN 17 1970

JENNINGS RANDOLPH, W. VA., CHAIRMAN
STEPHEN M. YOUNG, OHIO
EDMUND S. MUSKIE, MAINE
E. EVERETT JORDAN, N.C.
BIRCH BAYH, IND.
JOSEPH M. MONTOYA, N. MEX.
WILLIAM B. SPONG, JR., VA.
THOMAS F. EAGLETON, MO.
MIKE GRAVEL, ALASKA
JOHN S. COOPER, KY.
J. C[illegible]GGS, DEL.
HO[illegible]AKER, JR., TENN.
ROD[illegible]OLE, KANS.
EDWA[illegible]CURTIS, FLA.
ROBERT W. PACKWOOD, OREG.

RICHARD B. NOYCE, CHIEF CLERK AND STAFF DIRECTOR
J. B. HUYETT, JR., ASSISTANT CHIEF CLERK
M. BARRY MEYER, COUNSEL

United States Senate

COMMITTEE ON PUBLIC WORKS
WASHINGTON, D.C. 20510

JUN 2 5 1970

The Honorable John Mitchell
Attorney General of the United States
Department of Justice
Washington, D. C.

Dear Mr. Attorney General:

I have received the enclosed letter and photographic material relating to the assassination of President Kennedy.

I am referring this material to the Department of Justice for whatever action you deem advisable.

With best wishes, I am

Sincerely,

Edmund S. Muskie
United States Senator

139-11
RECORDED
30 JUN 4 1970
62-109060-6938X
Assigned 6/16/70
ENCLOSURE
1. ATTORNEY GENERAL
2. CRIMINAL DIV. CRIME SEC.
Mr. Carl Eardley - Ca
Admonish

WALLACE F. BENNETT, UTAH
JOHN G. TOWER, TEX.
EDWARD W. BROOKE, MASS
CHARLES E. GOODELL, N.Y.
ROBERT B. TAFT, JR., OHIO

DUDLEY L. O'NEAL, JR.
STAFF DIRECTOR AND GENERAL COUNSEL

United States Senate

COMMITTEE ON BANKING AND CURRENCY
WASHINGTON, D.C. 20510

Miss Ida Cerra
Office of the Attorney General
Department of Justice
Washington, D. C. 20530

Dear Miss Cerra:

Enclosed is a copy of the letter I received from Mr. Ivan Dryer which was inadvertently omitted from my letter to Attorney General Mitchell.

I regret this oversight and appreciate your cooperation.

With best wishes, I am

Sincerely,

Edmund S. Muskie
United States Senator

OFFICE OF THE ATTORNEY GENERAL
RECEIVED
JUN 15 1970

ENCLOSURE 6-1-109060-6938X

11035 Landale Street
North Hollywood, California 91602

April 28, 1970

Senator Edmund Muskie
Senate Office Building
Washington, D. C. 20510

Dear Senator Muskie:

I think the very real possibility that Democratic Party leadership may fall to you, makes the issue raised by this letter of immediate import. Although it is politically highly volatile, I hope you will carefully examine it to the satisfaction of your own conscience and well-being.

It is now six and one half years since John Kennedy was shot in Dallas. Only "kooks" and "cranks" are interested in that long-dead issue any more. And I am one of them -- because the evidence warrants continued interest, and what's more, action.

Part of that evidence is enclosed in this letter for your perusal in case you have not -- like most Americans -- been exposed to it before.

The enclosed print of the Zapruder film of the assassination -- with all its strange splices -- I think clearly shows the final and fatal shot (or shots) coming from the front. Study it closely and judge for yourself. If you agree it came from the front, a conspiracy to kill the president existed, since what little was revealed of the autopsy also indicated he was hit in the back at least once.

If there was a conspiracy (and there is an abundance of evidence, including sworn testimony, to indicate there indeed was), great lengths were taken to hide it and allow the actual assassins to go free (or wherever they were "allowed" to go).

The enclosed photographs are but a single example. The picture allegedly taken by Marina Oswald in March, 1963 (right side of two-photo composite), which later appeared the day after the assassination, is contrasted with the mug shot taken on Oswald's arrest, November 22. The face on the right-hand picture is Lee Oswald's, but the chin and neck are not -- note the faint line where the pictures were joined.

ENCLOSURE 62-109060-6938X

The full picture (see the enclosed picture of the cover of Life magazine) shows Oswald holding the alleged murder weapon and some pro-communist pamphlets. It was used to help establish that 1) Oswald had such a rifle and 2) he had communist leanings. The fact is that outside of that photograph there is no incontrovertible evidence that 1) he had such a gun in his possession, or that 2) he was a communist. In point of fact, 1) the gun Oswald actually ordered and supposedly received was four inches longer, and 2) there is evidence that he may have been an agent or operative working for the FBI.

There is a great cry for law and order in the country today. If we are truly to have law and order, let us begin here with the full and open solution of this most heinous crime. How long will we let the bullet supersede the ballot?

Sincerely,

Ivan Dryer

Ivan Dryer

ID:bjd
encl. 1 8mm film
2 photographs

Assistant Attorney General
Civil Division

June 17, 1970

Director, FBI

1 - Mr. DeLoach
1 - Mr. Rosen
1 - Mr. Malley
1 - Mr. Shroder
1 - Mr. Raupach
1 - Mr. Bolz
1 - Mr. Walters
1 - Mr. Conrad

MARINA N. OSWALD PORTER;
AT AL. VS.
UNITED STATES
U. S. DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
CIVIL ACTION #CA3-2282
FEDERAL TORT CLAIMS ACT

Reference is made to my letter captioned as above dated June 3, 1970, confirming a telephone conversation between Mr. Irwin Goldbloom of your Division and R. I. Shroder of this Bureau on June 2, 1970.

Mr. Goldbloom advised that in connection with the suit filed by Marina N. Oswald Porter, the Department would reply to a letter from Mr. Erich F. Klein, Jr., Attorney, who is representing Marina N. Oswald Porter. It was requested that when the Department replies to Mr. Klein's letter, that this Bureau be furnished a copy of this reply. We have not received a copy of your communication to Mr. Klein, and it would be appreciated if a copy is furnished to this Bureau for completion of our files.

MAILED 29
JUN 17 1970
COMM-FBI

KMR:dvj
(11)

NOTE: We received a letter from Erich F. Klein, Jr., Dallas, Texas, who is representing Marina N. Oswald Porter, former wife of Lee Harvey Oswald concerning a claim made against the U. S. to recover value of evidentiary items taken from Marina and/or Lee Harvey Oswald following the assassination of President Kennedy. In Klein's letter, he stated a claim was made for loss or damage to personal property caused by negligence or wrongful acts or omissions of the employees of the FBI. The Department has been handling this entire suit and was handling the reply to Mr. Klein disclaiming any negligence or wrongful acts on our part. We wrote to the Department on 6/3/70, requesting a copy of the Department's reply. We have not received to this date a copy of the reply, and this is a follow-up letter to remind the Department we are still interested in receiving this communication.

Tolson
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Gandy

62-10000-6939

EX-110 DEC 31

6 JUN 17 1970

60 JUN 22 1970

MAIL ROOM ☐ TELETYPE UNIT ☐

UNRECORDED COPY FILED IN

1 - Mr. Mohr
1 - Mr. D[illegible]ach
1 - Mr. R[illegible]n (Mr. Raupach)
1 - Mr. Conrad
1 - Mr. Griffith
1 - Mr. Shaneyfelt

Deputy Assistant Attorney General
Civil Division

June 29, 1970

Director, FBI 62-109060-6938X

REC-50 EX-105

Assassination of President Kennedy

Reference is made to your memorandum dated June 16, 1970, your CE:amc 129-11, with which you furnished a copy of a letter the Attorney General received from Senator Edmund S. Muskie and a copy of a letter to Senator Muskie from Ivan Dryer, 11035 Landale Street, North Hollywood, California, with which Mr. Dryer had enclosed a copy of an 8mm Zapruder film of the assassination and two glossy photographs of Lee Harvey Oswald.

The questions raised by Mr. Dryer in his letter have all previously been thoroughly investigated and covered in testimony before the President's Commission on the Assassination of President Kennedy. Extensive study of the Zapruder film has failed to reveal any evidence that the fatal shot came from the front. Mr. Dryer's reference to the Zapruder film "with all its strange splices" undoubtedly refers to the splices in film that Life magazine has publicly admitted to be the result of an accidental break or burn in the film and that the splicing was done by one of their technicians.

The photograph of Oswald with the rifle appearing on the cover of Life magazine has previously been established as genuine and not a composite as Mr. Dryer suggests. All aspects of this material were fully explored and the testimony regarding these examinations can be found in Volume IV, pages 279 through 294 of the Hearings Before the President's Commission on the Assassination of President Kennedy.

COMM-FBI

Mr. Dryer's statement that "there is evidence that he (Oswald) may have been an agent or operative working for the FBI" is completely false since Oswald has never at any time been an informant of the FBI or otherwise employed by the FBI in any capacity whatsoever.

The 8mm film and two glossy photographs you furnished are attached.

Enclosures (3)

CS:ms:rjc (9)

REC-50

SEP 14 1970

Tolson
Felt
Gale
Rosen
Sullivan
Tavel
Soyars
Tele. Room
Holmes
Gandy

ROOM TELETYPE UNIT

FD-36 (Rev. 5-22-64)

FBI

Date: 7/1/70

Transmit the following in _____ (Type in plaintext or code)

Via AIRTEL AIRMAIL (Priority)

TO: Director, FBI (62-109060)

FROM: SAC, New Orleans (89-69)

ASSASSINATION OF PRESIDENT JOHN FITZGERALD KENNEDY, DALLAS, TEXAS, 11/22/63
MISC. - INFO CONCERNING
OO: Dallas

Enclosed for the Bureau is a newspaper article appearing in the New Orleans States-Item concerning above-captioned matter.

One copy each of this newspaper article is enclosed for Dallas and Miami.

EX-115

REC-86 6941

928 1/7/73

2 - Bureau (Enc. 1)
1 - Dallas (89-43) (Enc. 1)
1 - Miami (Enc. 1)
1 - New Orleans
ECW:bs
(5)

SIXI

Sent _____ M Per _____

JUL 13 1970

Special Agent in Charge

Form 0-8 (Rev. 7-16-63)

(Mount Clipping in Space Below)

Hearing on Shaw Perjury Motion Recessed Until DA Able to Testify

A hearing on a motion to drop perjury charges against Clay L. Shaw was recessed today until ailing District Attorney Jim Garrison is able to testify. Two witnesses were heard before the hearing was recessed.

A hearing on a motion to throw out perjury charges against Clay L. Shaw got under way today despite the absence of the man who brought the charges, District Attorney Jim Garrison.

Attorneys for Shaw sought to have the hearing postponed when Garrison failed to answer his subpoena, but Criminal District Judge Malcolm V. O'Hara refused and the hearing continued.

First Assistant DA James L. Alcock said Garrison, who suffers from a back ailment

ALCOCK SAID since Shaw was on trial for conspiracy—not merely for knowing the two men—the jury's verdict of innocent was "not inconsistent" with his having known them.

In response to a question, Alcock said he personally wrote most of Garrison's opening statement to the jury.

Alcock refused to be pinned down to a statement that an alleged meeting of Shaw, Ferrie and Oswald at Ferrie's apartment on Louisiana Avenue Parkway in September, 1963, was the "backbone" of the state's case.

He cited several alleged meetings of the trio mentioned by various witnesses and said there were others "we were unable to show the jury."

ALSO UNDER subpoena were:

Garrison; Alcock; Assistant DA Andrew Sciambra; Criminal District Judge Alvin V. Oser, who was a prosecuting attorney at the Shaw trial; Perry Raymond Russo, the state's key witness at the trial; Criminal District Judge Edward A. Haggerty Jr., who presided, and Miss Helen Dietrich, the court reporter.

Miss Dietrich also failed to appear this morning and her office reported she is out of town and will not return until next week. Dymond tried to have the proceeding delayed on this ground, but was overruled again by Judge O'Hara.

The hearing got off to a slow start, with arguments on points of procedure. The main issue was who should pay for transcripts of portions of the 1969 trial Dymond sought to introduce in evidence.

Dymond said his client,

(Indicate page, name of newspaper, city and state.)

PAGE 1

SECTION 1

THE STATES-ITEM

NEW ORLEANS, LA.

says killed Kennedy in Dallas Nov. 22, 1963, or David W. Ferrie, a mysterious pilot who died here Feb. 22, 1967.

IN THE motion to quash the perjury charge, Shaw's lawyers contend the jury which acquitted Shaw in effect passed on the truthfulness of his testimony.

The brief argues that Garrison's perjury charge is, in essence, an effort to retry Shaw on the same issue, in violation of his rights under the U.S. and Louisiana constitutions.



EN ROUTE TO A HEARING on a motion to throw out perjury charges against CLAY L. SHAW are, from left, Attorney F. IRVIN DYMOND and Shaw; PERRY RAYMOND RUSSO, key



—States-Item photos by Ralph Uribe.

state's witness in the trial of Shaw in 1969 on charges of conspiring to kill President John F. Kennedy, and Assistant District Attorneys JAMES L. ALCOCK and ANDREW SCIAMBRA.

FD-[illegible] Rev. [illegible]-64)

FBI

Date: 6/24/70

Transmit the following in _____
(Type in plaintext or code)

Via AIRTEL AIRMAIL
(Priority)

TO: DIRECTOR, FBI (62-109060)

FROM: SAC, NEW ORLEANS (89-69) (P*)

SUBJECT: ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY,
11/22/63,
DALLAS, TEXAS
MISCELLANEOUS-INFORMATION CONCERNING

Re Bureau telephone calls to New Orleans, instant date.

Enclosed for the Bureau are two xerox copies each of all serials contained in New Orleans file 97-74, captioned "FAIR PLAY FOR CUBA COMMITTEE; NEW ORLEANS DIVISION; RA - CUBA; IS - CUBA," for the period 4/1-11/22/63, with the exception of serial 71, which is the report of SA WARREN C. DE BRUEYS dated 10/25/63, at New Orleans, and serial 77, which is the report of SA JAMES N. KENNEDY, JR. dated 11/29/63, at New York, both of which are in possession of the Bureau.

Serial 65 Memo of SA STEPHEN M. CALLENDER to SAC, New Orleans, dated 8/9/63

Included [illegible]
72, 74, 75, 76, 78, 4462
[illegible]

(2) Included [illegible] (RM)
2 - Bureau (Enc. 32)
3 - New Orleans
(2 - 89-69)
(1 - 97-74)
ECW - smj
(5)

ENCLOSURE

REC-23 6942

EX-109

one cc of 8/9/63 complaint form, 8/23/63; 8/27/63; characterization & search slip; second characterization; original let, sent by let to DAG, 7-1-70 FBI:mmc

5 JUL 9 1970

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

56 JUL 13 1970

NO 89-69
ECW - smj

Serial 66	Complaint form dated 8/16/63, submitted by SA MERRIMAN D. DIVEN
Serial 67	New Orleans letter to the Bureau, dated 8/23/63
Serial 68	Memo of SA JOHN L. QUIGLEY to SAC, New Orleans, dated 8/27/63
Serial 69	Characterization of Fair Play For Cuba Committee
Serial 70	Characterization of Fair Play for Cuba Committee
Serial 72	Clipping from New Orleans Times-Picayune Newspaper of 11/27/63
DCRU Serial 73	Undated letter addressed to Mr. LEE, signed LEE H. OSWALD
Serial 74	Airtel from New York Division to Director, dated 11/27/63
Serial 75	Teletype from Bureau to all SAC's, dated 11/30/63
Serial 76	Teletype from New Orleans to Director and Dallas
Serial 78	Memo from SA J. DAWSON VAN EPS to SAC, New Orleans, dated 11/25/63

In addition to the above-described serials, also enclosed for the Bureau are two xerox copies each of the following serials contained in captioned case, setting forth information concerning the 1-A exhibits in New Orleans file 97-74:

NO 89-69
ECW - smj

Serial 4462	New Orleans airtel to the Bureau, dated 12/12/69
Serial 4463	New Orleans teletype to the Bureau, dated 12/12/69
Serial 4464	New Orleans teletype to the Bureau, dated 12/14/69
Serial 4465	New Orleans teletype to the Bureau, dated 12/14/69

Complaint Form
FD-71 (10-20-55)

Note: Hand print names legibly; handwriting satisfactory for remainder.

Subject's name and aliases	Address of subject	Character of case
FAIR PLAY FOR CUBA COMMITTEE	C/O L.H. OSWALD 4907 MAGAZINE ST. N.O., La.	REGISTRATION SUBJECT ACT
Complainant	**Complainant's address and telephone number**	**Complaint received**
RAMON HERNANDEZ	4412 EDEN ST., N.O. 861-0556	☒ Personal ☐ Telephonic Date 8/16/63 Time 3:40 PM

Complainant Physical Description

Race	Sex	Height	Hair	Build	Birth date and Birthplace
W	☒ Male ☐ Female	5'10"	Brown	Med	9/3/40, HAVANA, CUBA
Age	**Weight**	**Eyes**	**Complexion**		
23	175	Brown	Med.		

Scars, marks or other data

STUDENT - LOYOLA - ACCOUNTING - EVENING DIV
EMPLOYED - SPILSBURY, SIDNEY J. 823 PERDIDO #523-3822

Facts of complaint

Complainant brought in a "hand out" being distributed in front of the Trade Mart, Camp Street by 5 white males 18 to 20 years of age wearing shorts. Complainant stated that the 5 appear to be college students and Americans. "Hand out" stated in part: "HANDS OFF CUBA! JOIN THE FAIR PLAY FOR CUBA COMMITTEE"

HERNANDEZ stated that he was imprisoned in Cuba for anti-Castro feelings. He volunteered to attempt lectures and obtain literature as stated on "hand out" at L. H. OSWALD, 4907 MAGAZINE ST., NEW ORLEANS.

HERNANDEZ advised that this office would not advise or direct him in this matter, and any action taken by him was of his own choice and responsibility.

97-74-66

SEARCHED ____ INDEXED ____
SERIALIZED ____ FILED ____
AUG 16 1963
FBI — NEW ORLEANS

Action Recommended File in 97-74 for info

Theresa D. Dorin
(Agent)

SAC (100-16601) 8/27/63

SA JOHN L. QUIGLEY

LEE HARVEY OSWALD
IS - R

On 8/10/63 Lt. FRANCIS MARTELLO, Platoon Commander, First District, New Orleans PD, advised that captioned individual had been picked up on 8/9/63 and charged with disturbing the peace. He said that OSWALD had been distributing literature for the "Fair Play for Cuba Committee" in the 700 block of Canal St. He said that OSWALD was desirous of seeing an Agent and supplying to him information with regard to his activities with the "Fair Play for Cuba Committee" in New Orleans.

(2)- New Orleans (100-16601)
(1)- 97-74)

JLQ/cv
(2)

97-74-68

DIRECTOR, FBI (97-4196-33) 8/23/63

SAC, NEW ORLEANS (97-74)

FAIR PLAY FOR CUBA COMMITTEE -
NEW ORLEANS DIVISION
RA - CUBA; IS - CUBA

On August 9, 1963, LEE HARVEY OSWALD was arrested by the New Orleans Police Department, along with three other persons, on a charge of "Disturbing the Peace." It was determined subsequent to OSWALD's arrest, that he had been distributing pamphlets containing the writing "HANDS OFF CUBA! Join the Fair Play for Cuba Committee, NEW ORLEANS CHARTER MEMBER BRANCH, Free Literature, Lectures, LOCATION: L. H. OSWALD, 4907 Magazine, New Orleans, La., EVERYONE WELCOME!"

On August 16, 1963, two persons, one of which is believed identical with OSWALD, who identified themselves as being connected with the Fair Play for Cuba Committee (FPCC), distributed pamphlets in front of the International Trade Mart in New Orleans. They remained in that location for only a few moments and departed. This latter information was furnished on August 16, 1963, by [redacted], who has a contractual relationship with the International Trade Mart and is a source of information relative to Latin American matters of the New Orleans Office.

New Orleans is reopening instant case for the purpose of determining the identities of members of the New Orleans chapter of subject organization, as well as the nature of the activities of this chapter.

2 - Bureau (RM)
1 - New York (97-1792) (Info) (RM)
(3) - New Orleans
1 - 100-16601 (LEE HARVEY OSWALD)
(Information)

97-74-67

WCD:mam
(6)

Searched [redacted]
Serialized [redacted]
Indexed [redacted]
Filed [redacted]

ADDENDUM FOR NEW ORLEANS OFFICE:

On 8/19/63, [redacted] advised that the two parties who were distributing handbills for the FPCC as set forth above were described as follows: One was white male, 145 pounds, 5'9", age 32 or 33, pallid complexion, and black hair. The second one was described as age 22 or 23, 6', black hair, narrow shoulders and broad waist.

Our findings search slip attached

FAIR PLAY FOR CUBA COMMITTEE

The April 6, 1960, edition of "The New York Times" newspaper contained a full-page advertisement captioned "What Is Really Happening In Cuba," placed by the Fair Play for Cuba Committee (FPCC). This advertisement announced the formation of the FPCC in New York City and declared the FPCC intended to promulgate "the truth about revolutionary Cuba" to neutralize the distorted American press.

"The New York Times" edition of January 11, 1961, reported that at a hearing conducted before the United States Senate Internal Security Subcommittee on January 10, 1961, Dr. Charles A. Santos-Buch identified himself and Robert Taber as organizers of the FPCC. He also testified he and Taber obtained funds from the Cuban Government which were applied toward the cost of the aforementioned advertisement.

On May 16, 1963, a source advised that during the first two years of the FPCC's existence there was a struggle between Communist Party (CP) and Socialist Workers Party (SWP) elements to exert their power within the FPCC and thereby influence FPCC policy. However, during the past year this source observed there has been a successful effort by FPCC leadership to minimize the role of these and other organizations in the FPCC so that today their influence is negligible.

On May 20, 1963, a second source advised that the National Headquarters of the FPCC is located in Room 329 at 799 Broadway, New York City. According to this source, the position of National Office Director was created in the Fall of 1962 and was filled by Vincent "Ted" Lee, who now formulates FPCC policy. This source observed Lee has followed a course of entertaining and accepting the cooperation of many other organizations including the CP and the SWP when he has felt it would be to his personal benefit as well as the FPCC's. However, Lee has indicated to this source he has no intention of permitting FPCC policy to be determined by any other organization. Lee feels the FPCC should advocate resumption of diplomatic relations between Cuba and the United States and support the right of Cubans to manage their revolution without interference from other nations, but not support the Cuban revolution per se.

The CP and the SWP have been designated pursuant to Executive Order 10450.

Sources: [redacted]

97-74-69

SEARCHED ... INDEXED ...
SERIALIZED ... FILED ...
AUG 9 1963
FBI — NEW ORLEANS

Search Slip
(Rev. 10-1-59)

TO: CHIEF CLERK

Date 9/13/63

Subject FAIR PLAY FOR CUBA COMMITTEE

Aliases FPCC

Address	Birth Date	Birthplace	Race	Sex
				☐ Male ☐ Female

☐ Exact Spelling
☐ All References
☐ Main Subversive Case Files Only
☐ Subversive References Only
☐ Main Criminal Case Files Only
☐ Criminal References Only
☐ Main Subversive (If no Main, list all Subversive References)
☐ Main Criminal (If no Main, list all Criminal References)
☐ Restrict to Locality of

File & Serial Number	Remarks	File & Serial Number	Remarks
97-71 (1)			
134-141-11-1	(Identical Harold Lewis)		
109-00-9 Sec 7	(Identical)		
105-1513-4	Enc SAC Ltr #41 dated 11-13-61		Wm Lowe, N.Y. (Identical)
105-00-222	(1) SAC Ltr #71 dated 12-19-61)		
105-00-222-11	(1) SAC Ltr #11 dated 2-13-62)		cc in 97-74
100-145-72-232	11-3 Thumbnail sketch dated 7-11-62		
100-145-72-252	Pkg #4 (Thumbnail sketch dated 8-6-63)		

Requested by: Lt. Carroll Ford/Cards
Squad:
Extension:
File No.: 97-74

Searched by: Hazel B. Clark 9-13-63 (date)
Consolidated by: " (date)
Reviewed by: " (date)

File Review Symbols
I - Identical
NI - Not identical
? - Not identifiable
U - Unavailable reference

SECRET 11/27/63

AIRTEL REGISTERED MAIL

TO : DIRECTOR, FBI (97-4196-SUB 33)

FROM : SAC, NEW YORK (97-2202) (RUC)

SUBJECT: FAIR PLAY FOR CUBA COMMITTEE -
NEW ORLEANS DIVISION
RA - CUBA; IS - CUBA;
IS - C; IS - SWP

[redacted]

In the event this material is disseminated outside the Bureau, caution should be exercised to protect the source, [redacted], and the communication should be classified "Confidential."

3 - Bureau (Enc. 2) (RM)
2 - New Orleans (97-74) (Enc. 1)(RM)
1 - Dallas (Enc. 1) (INFO)(RM)
1 - NY 97-1792 (FPCC)
1 - NY 97-2202 (Att. 1)

JHK:gms
(9)

SECRET

97-74-74

[redacted]

12/22/

Classified by 3002
Exempt from GDS, Category 2,3
Date of Declassification Indefinite

URGENT 11-30-63 4-16 PM EST RL

TO ALL SACS

FROM DIRECTOR 1 PAGE

LEE HARVEY OSWALD, INTERNAL SECURITY-R.

IMPERATIVE THAT ALL INVESTIGATION AND ALLEGATIONS REGARDING OSWALD BE SUBMITTED TO BUREAU UNDER ABOVE CAPTION IN INVESTIGATIVE REPORTS. RESULTS OF ALL CURRENT AND PRIOR INVESTIGATION, NOT PREVIOUSLY INCLUDED IN INVESTIGATIVE REPORTS, MUST BE INCORPORATED IN REPORTS AND SUBMITTED TO REACH BUREAU NO LATER THAN DECEMBER TWO. BE CERTAIN INDICES CHECKED CAREFULLY TO INSURE ANY PREVIOUSLY UNREPORTED DATA IS INCLUDED IN THIS REPORT. NOT NECESSARY TO RESUBMIT INFORMATION IF INCLUDED IN REPORTS PREVIOUSLY SUBMITTED UNDER OSWALD CAPTION OR CAPTION, ASSASSINATION OF PRESIDENT KENNEDY. ALL SUBSEQUENT INFORMATION RECEIVED AND INVESTIGATION REQUIRED MUST BE HANDLED AT ONCE, SUBMITTED BY TELETYPE, AND FOLLOWED BY INVESTIGATIVE REPORT WITHIN THREE DAYS.

END ACKP IN ORDER

ME-- OK FBI ME MEK

NO-- OK FBI NO RJS

SV--4-19 PM OK FBI SV PP

BH--3-18 OK FBI BH KTF

AT--4-19 PM OK FBI AT WS

MO--3-20 PM OK FBI MO EJ

JK--4-19 PM OK FBI JK RRC

TP--4-19 PM OK FBI TP URR

TU ALL DISC

T

97-74-75

SEARCHED.....INDEXED.....
SERIALIZED.....FILED.....
NOV 30 1963
FBI—NEW ORLEANS

SAC, NEW ORLEANS (100-16601) 8/9/63

SA Stephen N. Callender

LEE H. OSWALD
SM-C

This is to advise that on this date [redacted] who requested that her identity be kept confidential appeared at the office and furnished the following information. She informed that at about 1:15 PM she was walking on Canal St. and she observed an unknown individual handing out leaflets. One of these leaflets were white in color and yellow in color and consisted of one page each. She said that she did not obtain a leaflet but read the contents on a yellow leaflet in the hand of the unknown person. She said that it contained large printing "Hands off Cuba, Viva Castro." She said that she reported this to an unknown policeman and that she did not observe any other persons around who appeared to be also distributing leaflets. This person was handing out leaflets on Canal street between Baronne and Carondolet on the same side of the street as Godchaux's. She described this person as a white male, age 25 to 30, 5'10", 140 pounds, very thin build, light complexion, sandy hair, wearing either an off white or light grey shirt and medium colored trousers. She could provide no further descripiotn.

At 4:20 PM [redacted], First District NOPD advised that the following persons had been arrested on Canal St. for Disturbing the Peace.

1. LEE H. OSWALD, white, male, age 23, born 10/18/39, New Orleans, residence 4709 Magazine, New Orleans, lower center apt. OSWALD informed arresting officer that he is a member of the New Orleans chapter of the Fair Play for Cuba Committee with headquarters at 799 Broadway, New York City. [redacted] informed that OSWALD was handing out yellow leaflets with inscription "Hands Off Cuba, Viva Castro."

2. CARLOS JOSE BRINGUIER, white male age 29, 501 Adele St. Apt. F New Orleans who informed he is the Director of the Cuban Student Directorate for the New Orleans area. He informed he immigrated to this country on 2/8/61 INS # A12546223 and has a clothing shop at 107 Decatur St.

3. CELSO MACARIO HERNANDEZ, white, male age 47, 519 Adele St. Apt. E. He advised he is a member of the same group as Bringuier.

4. Miguel Mariano Cruz, white male age, 18, 2526 Mazant, Apt. C who advised he is also a member of the Cuban Student Directorate.

2-100-16601
1-100-16739 (Carlos Jose Bringuier)
1-97-74 (Fair Play for Cuba Committee)
SNC

SEARCHED ... INDEXED ...
SERIALIZED ... FILED ...
AUG 9 19[illegible]
FBI — NEW ORLEANS

97-74-55

According to [redacted] all four individuals were arrested for Disturbing the Peace when OSWALD became involved in an argument with BRINGUIER, HERNANDEZ and CRUZ and that a crowd develcped. Xxxx [redacted] informed that he had no further information at this time.

Indicies contained no information identifiable with Hernandez or Cruz

SAC 89-69 11/25/63

SA J. DAWSON VAN EPS

ASSASSINATION OF PRESIDENT
JOHN F. KENNEDY
11/22/63
DALLAS, TEXAS

This is to advise that "HANDS OFF CUBA" hand bills distributed by L. H. OSWALD were forwarded to the FBI Laboratory for examination. One specimen was removed from 97-74, 1A-5; another from 100-16601, 1A-1, and the third was received from WILLIAM CODY REEVES, 6144 Louis XIV, New Orleans, La., by SA JOSEPH L. FLEMING, on 11/25/63. Mr. REEVES requested that the hand bill furnished by him be returned.

2 - New Orleans (89-69) (97-74) (100-16601)

JDV/jm
(3)

97-74-18

SEARCHED INDEXED
SERIALIZED FILED
NOV 25 1963
FBI — NEW ORLEANS

FD-36 (Rev. 8-22-64)

FBI

Date: 12/14/69

Transmit the following in PLAINTEXT
(Type in plaintext or code)

Via TELETYPE URGENT
(Priority)

TO: DIRECTOR (62-109060)

FROM: NEW ORLEANS (89-69) (P)

ASSASSINATION OF PRESIDENT JOHN F. KENNEDY, NOV. TWENTYTWO, NINETEEN SIXTYTHREE, DALLAS, TEXAS. MISCELLANEOUS - INFORMATION CONCERNING.

RE BUTEL CALL, NEW ORLEANS TEL AND AIRTEL, DATED DEC. TWELVE, LAST, AND BUTEL CALL INSTANT DATE.

THE HAND BILL CAPTIONED "HANDS OFF CUBA" IDENTIFIED ON THE REVERSE SIDE OF ORIGINAL SENT BUREAU AND COPIES MAINTAINED IN NEW ORLEANS FILE AS NINETYSEVEN DASH SEVENTY-FOUR DASH ONE A FIVE RECEIVED AUG. TWENTY, SIXTYTHREE, FROM [redacted] IS ACTUALLY EXHIBIT ONE A FOUR RECEIVED AUG. SIXTEEN, SIXTYTHREE FROM [redacted] ACCORDING TO EXHIBIT ENVELOPES IN NEW ORLEANS FILE. IDENTIFICATION OF EXHIBIT ONE A FIVE APPARENTLY ERRONEOUSLY RECORDED ON HAND BILL AT TIME OF SUBMISSION TO BUREAU.

EXHIBIT NINETYSEVEN DASH SEVENTYFOUR ONE A FIVE IS PAMPHLET ENTITLED "THE CRIME AGAINST CUBA" BY CORLISS LAMONT RECEIVED AUG TWENTY FROM [redacted] AND WAS NOT SENT BUREAU.

89-69-4467

1 - NEW ORLEANS

WCW:pd

Approved: _____ Sent 1:31 P M Per _____
Special Agent in Charge

Ed. 9-22-64)

FBI

Date:

Transmit the following in _____
(Type in plaintext or code)

Via _____ _____
(Priority)

NO 89-69

PAGE TWO

EXHIBIT NINETYSEVEN DASH SEVENTYFOUR ONE A DASH ONE, A LETTER FROM [redacted] NEW YORK CITY, DATED FIVE/FIVE/SIXTYONE WAS RECEIVED BY NEW ORLEANS SEVEN/TWENTYONE/SIXTYONE FROM NEW YORK CITY. EXHIBIT NINETYSEVEN DASH SEVENTYFOUR DASH ONE A TWO, A PHOTOGRAPH OF BOTTOM PORTION OF FPCC MEMBERSHIP FORM EXECUTED BY [redacted], BATON ROUGE, LA., RECEIVED JULY TWENTYONE, SIXTYONE, FROM NEW YORK OFFICE. EXHIBIT NINETYSEVEN DASH SEVENTYFOUR ONE A THREE, PHOTO OF A LETTER DATED SIX/FOURTEEN/SIXTYONE FROM [redacted] NEW YORK CITY, RECEIVED AUG. ELEVEN, SIXTYONE, FROM NEW YORK OFFICE. EXHIBIT NINETYSEVEN DASH SEVENTYFOUR ONE A SIX CONSISTING OF NEGATIVES OF PHOTOGRAPH AND SIGNATURE AS WELL AS PHOTOGRAPH AND PHOTOGRAPH OF SIGNATURE OF [redacted] COPIED FROM INS FILE, NEW ORLEANS, WAS RECEIVED TWO/TWO/SIXTYFOUR.

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

5-22-64)

FBI

Date: 11/14/69

Transmit the following in _____
(Type in plaintext or code)

Via _____ _____
(Priority)

NO 89-69 [illegible] (62-109060)

PAGE THREE [illegible] (89-69) (U)

EXHIBITS ONE A DASH ONE, ONE A DASH TWO, ONE A DASH THREE AND ONE.A DASH SIX DO NOT PERTINENT TO LEE HARVEY OSWALD OR THE ASSASSINATION OF PRESIDENT KENNEDY.

END.

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

FD-36 (Rev. 5-22-64)

FBI

Date: 12/12/69

Transmit the following in PLAINTEXT
(Type in plaintext or code)

Via TELETYPE URGENT
(Priority)

TO: DIRECTOR (62-109060)

FROM: NEW ORLEANS (89-69) (P)

ASSASSINATION OF PRESIDENT JOHN FITZGERALD KENNEDY, NOVEMBER TWENTYTWO, SIXTYTHREE, DALLAS, TEXAS; MISC - INFORMATION CONCERNING.

REBUTEL CALL TODAY.

THE ORIGINAL HAND BILL CAPTIONED "HANDS OFF CUBA," WHICH BEARS NOTATION "NINE SEVEN DASH SEVEN FOUR, ONE A FIVE" AND A RUBBER ST STAMPED IMPRESSION "L. H. OSWALD, FOUR NINE ZERO SEVEN MAGAZINE STREET, NEW ORLEANS, LA.," WAS FORWARDED FBI LABORATORY BY AIRTEL DATED NOVEMBER TWENTYFIVE, SIXTYTHREE, CAPTIONED AS ABOVE. ALSO SUBMITTED WITH THIS EXHIBIT WERE TWO OTHER IDENTICAL HAND BILLS, ONE BEARING RUBBER STAMPED IMPRESSION "A. J. HIDELL, P. O. BOX THREE ZERO ZERO ONE SIX, NEW ORLEANS, LA." AND THE OTHER BEARING RUBBER STAMPED IMPRESSION "FPCC - A. J. HIDELL, P. O. BOX THREE ZERO ZERO ONE SIX, NEW ORLEANS, LA." THE HAND BILL "HANDS OFF CUBA" IDENTIFIED ON THE REVERSE SIDE OF ORIGINAL SENT BUREAU AS ONE A FIVE OF NINE SEVEN DASH SEVEN FOUR RECEIVED AUGUST TWENTY, SIXTYTHREE FROM [redacted] IS ACTUALLY EXHIBIT ONE A FOUR RECEIVED AUGUST SIXTEEN, SIXTYTHREE FROM [redacted]

89-69-4463

89-69 - [redacted]
ECW:bs
(1)

Approved: _____ Sent 7:17 p M Per LLA
Special Agent in Charge

FBI

Date:

Transmit the following in _____
(Type in plaintext or code)

Via _____ _____
(Priority)

NO 89-69

PAGE TWO

NEW ORLEANS FILE NINE SEVEN DASH SEVEN FOUR CAPTIONED "FAIR PLAY FOR CUBA COMMITTEE, NEW ORLEANS DIVISION; RA - CUBA; IS - CUBA" CONTAINS THE FOLLOWING ONE A EXHIBITS:

ONE A ONE - PHOTOGRAPH OF LETTER FROM [redacted], NEW YORK, NEW YORK, DATED MAY FIVE, SIXTYONE;

ONE A TWO - PHOTOGRAPH OF BOTTOM PORTION OF FAIR PLAY FOR CUBA COMMITTEE MEMBERSHIP FORM EXECUTED BY [redacted] BATON ROUGE, LA.;

ONE A THREE - PHOTOGRAPH OF LETTER DATED JUNE FOURTEEN, SIXTY-ONE, TO [redacted] NEW YORK, NEW YORK, FROM PERSON WITH LAST NAME [redacted]

ONE A FOUR - HAND BILL OF FAIR PLAY FOR CUBA COMMITTEE DISTRIBUTED BY LEE HARVEY OSWALD IN FRONT OF INTERNATIONAL TRADE MART AUGUST SIXTEEN, SIXTYTHREE;

ONE A FIVE - PAMPHLET ENTITLED "THE CRIME AGAINST CUBA" BY CORLISS LAMONT;

ONE A SIX - THREE NEGATIVES OF PHOTOGRAPH OF [redacted]

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

(44)

FBI

Date:

Transmit the following in _____ (Type in plaintext or code)

Via _____ (Priority)

NO 89-69

PAGE THREE

COPIED FROM INS FILE, TWO NEGATIVES OF PHOTOGRAPH OF SIGNATURE OF [redacted] COPIES FROM INS FILE, ONE PHOTOGRAPH OF [redacted] ONE PHOTOGRAPH OF SIGNATURE OF [redacted]

NEW ORLEANS FILES SHOW THAT ONLY EXHIBIT FURNISHED BUREAU WAS THE HAND BILL ENTITLED "FAIR PLAY FOR CUBA" DISTRIBUTED BY LEE HARVEY OSWALD IN FRONT OF INTERNATIONAL TRADE MART, NEW ORLEANS, AUGUST SIXTEEN, SIXTYTHREE.

XEROX COPIES OF ALL EXHIBITS, EXCEPT ONE A SIX WHICH WAS OBTAINED SUBSEQUENT TO ASSASSINATION OF PRESIDENT KENNEDY, BEING FORWARDED BUREAU BY SEPARATE COMMUNICATION.

Approved: _____ Sent _____ M Per _____

Special Agent in Charge

FBI

Date:

Transmit the following in _____ (Type in plain text or code)

Via TELETYPE _____ (Priority or Method of Mailing)

TO: DIRECTOR FBI /105-82555/ SAC DALLAS /100-10461/

FROM: SAC NEW ORLEANS 7 100-16601/

LEE HARVEY OSWALD IS-R

REBUTEL TO ALL SAC'S NOVEMBER THIRTY AT FOUR SIXTEEN PM EST. DALLAS INCLUDE IN REPORT INFORMATION FURNISHED BY NEW YORK AIRTEL NOVEMBER TWENTY SEVEN LAST TO BUREAU, DALLAS AND NEW ORLEANS ENTITLED FAIR PLAY FOR CUBA COMMITTEE - NEW ORLEANS DIVISION; RA-CUBA; IS- CUBA; IS-C: IS-SWP.

1-CC 97-74
1-CC 89-69
(3)

see no file #97-74 for supplied info from Dallas by NO

Searched
Serialized
Indexed
Filed

Approved: _____ Special Agent in Charge

Sent _____ M Per _____

97-74-76

FD-36 (Rev. 5-22-64)

FBI

Date: 12/14/69

Transmit the following in ____ CODE ____
(Type in plaintext or code)

Via TELETYPE URGENT
(Priority)

TO DIRECTOR

FROM NEW ORLEANS

89-69

ASSASSINATION OF PRESIDENT JOHN F. KENNEDY, NOV. TWENTYTWO, NINETEEN SIXTYTHREE, DALLAS, TEXAS. MISCELLANEOUS-INFO. CONCERNING. RE NO TEL TODAY AND NO TEL CALL TO BUREAU TODAY.

[redacted]

END.

ECW:olp

CODE

89-69-41

Approved: ECW Sent 8:59 PM M Per 08
Special Agent in Charge

12/12/69

AIRTEL AIRMAIL-REGISTERED

TO: Director, FBI (62-109060)

FROM: SAC, New Orleans (89-69) (P)

ASSASSINATION OF PRESIDENT JOHN
FITZGERALD KENNEDY, 11/22/63,
DALLAS, TEXAS
MISC. - INFORMATION CONCERNING

ReButel call and New Orleans teletype to Bureau instant date.

Enclosed for the Bureau are three Xerox copies each of the following exhibits contained in New Orleans file 97-74 captioned "FAIR PLAY FOR CUBA COMMITTEE; NEW ORLEANS DIVISION; RA - CUBA; IS - CUBA":

1A1 Photograph of letter from [redacted] New York, New York, dated 3/3/61;

1A2 Photograph of bottom portion of Fair Play for Cuba Committee membership form executed by [redacted] Baton Rouge, La.;

1A3 Photograph of letter dated 6/14/61 to [redacted] New York, from person with last name [redacted]

2 - Bureau (Enc. 15)(RM)
2 - New Orleans
ECW:bs
(4)

89-69-4463

NO 89-69

1A4 Hand bill of Fair Play for Cuba Committee distributed by LEE HARVEY OSWALD in front of International Trade Mart 8/16/63;

1A5 Pamphlet entitled "The Crime Against Cuba" by CORLISS LAMONT.

It is to be noted that New Orleans file 97-74 contains exhibit 1A6 which consists of three negatives of a photograph of [redacted] copied from INS file, two negatives of photograph of signature of [redacted] copied from INS file, one photograph of [redacted] and one photograph of the signature of [redacted] which was received by the New Orleans office on 2/2/64 subsequent to the assassination of President KENNEDY and copies of this exhibit are not being forwarded to the Bureau.

The New Orleans files show that the only exhibit from New Orleans file 97-74 furnished to the Bureau was the hand bill entitled "Fair Play for Cuba" which was distributed by LEE HARVEY OSWALD in front of the International Trade Mart, New Orleans, La., 8/16/63 which was furnished by [redacted]

97-74

1.

APPENDIX

FAIR PLAY FOR CUBA COMMITTEE

The April 6, 1960, edition of "The New York Times" newspaper contained a full-page advertisement captioned "What Is Really Happening in Cuba," placed by the Fair Play for Cuba Committee (FPCC). This advertisement announced the formation of the FPCC in New York City and declared the FPCC intended to promulgate "the truth about revolutionary Cuba" to neutralize the distorted American press.

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The CP and the SWP have been designated pursuant to Executive Order 10450.

97-74-70

SEARCHED ... INDEXED ... SERIALIZED ... FILED ... SEP 25 19.. FBI — NEW ORLEANS

1 to 5 100-16601- 100-14570

FD-350 (4-3-62)

(Mount Clipping in Space Below)

'Fair Play' Unit Probe Is Asked

WASHINGTON (AP) — Rep. Albert Watson, D-S.C., introduced a resolution in the House Tuesday that would direct the House committee on un-American Activities "to conduct a full and complete investigation" of the Fair Play for Cuba Committee.

The resolution declares the investigation is necessary because "the only reliable determination by law enforcement officers is that the late President was assassinated by a member of the pro-Castro, Communist oriented, Fair Play for Cuba Committee."

News accounts have described Lee Harvey Oswald, the alleged slayer of John F. Kennedy, as an officer of the committee in New Orleans. The committee, however, has denied this.

(Indicate page, name of newspaper, city and state.)

Page #15, Section three
THE TIMES-PICAYUNE
NEW ORLEANS, LA.

Date: 11/27/63
Edition:
Author:
Editor:
Title:

Character:
or
Classification:
Submitting Office: New Orle

97-74-72
SEARCHED ... INDEXED
SERIALIZED ... FILED
NOV 27 1963
FBI — NEW ORLEANS

F. P. C. C.
799 Broadway
New York
U.S.A.

Dear Mr. Lee

[illegible]

all of them to a committee in New York which they cannot see with their own eyes.

But they may pay a dollar a month to their own chapter after having received their membership card from my hand to theirs.

We all think such a rule system hinder the members above to the N.A.A.C.P.

I will promise only a membership card and a chapter vote to future members, that is, I don't expect you to defend them national N.A.A.C.P. mailing for their one dollar a month.

You can still notice on the membership blank there is a place for those who do wish to subscribe to the national mailings for the fee of $5.00, that fee will go directly to your new Sec.

3

I was in my mother's room and also talking to the doctors in my eyes. I will finish this letter to you and then you may handle it as if it was a usual application for membership in the national F.P.C.C.

In any event I will keep your postal, one week if the office stays open for only 1 month most people will find out about the F.P.C.C. then if there has never been any office at all, don't you agree?

Please fill this to your advice and any other help.

Yours truly
Ida H Cannon

4711 So. Prieur St.
New Orleans 15, La.

Form DJ-190
(Ed 4-26-65)

UNITED STATES GOVERNMENT

DEPARTMENT OF JUSTICE

Memorandum

TO : Mr. J. Edgar Hoover
Director, F.B.I.

DATE: June 19, 1970

FROM : Richard G. Kleindienst
Deputy Attorney General

SUBJECT: Freedom of Information Act: Paul L. Hoch

Attached is a letter from Mr. Paul L. Hoch dated June 8, 1970 explaining three attached requests (Forms DJ-118) for access to information relating to the assassination of President Kennedy.

Would you please review these requests and comment on the nature of the information he is seeking and whether it should be made available.

Mr. Tolson
Mr. DeLoach
Mr. Walters
Mr. Mohr
Mr. Bishop
Mr. Casper
Mr. Callahan
Mr. Conrad
Mr. Felt
Mr. Gale
Mr. Rosen
Mr. Sullivan
Mr. Tavel
Mr. Soyars
Tele. Room
Miss Holmes
Miss Gandy

REC-28 EX-117 62-109060-6943

10 JUL 8 1970

4 ENCLOSURES

UNRECORDED COPY FILED IN

Berkeley, Calif. 94704
June 8, 1970

Mr. Richard Kleindienst
(Attention: Mr. R. Richards Rolapp)
Deputy Attorney General
Department of Justice
Washington, D.C. 20530

Dear Mr. Rolapp:

Thank you very much for taking the time to meet with me on May 15. I would like to confirm a couple of things we discussed; please correct me if I misunderstood you:

(a) The last paragraph of CD 7, page 329, which you gave me, contains all the information on that page relating to the seven magazines in Item K27 except for a list of the magazines and/or a request for a laboratory examination. This non-substantive information appears on page 329 but not immediately preceding the last paragraph. (As I mentioned to you, my interest in this page was only to see whether the FBI had noticed that the coupon torn from one of the magazines in K27 was one that was later found, FBI Item D-85.)

(b) CD 75, pages 705-706 were made available to me after it was ascertained that Mr. Carlos Quiroga had no objection to their release.

I am enclosing three separate requests for access to certain records, with a $ 3 money order for each. The following information supplements that in the DJ-118 forms:

(1) By letter of October 30, 1968 to Mr. James Schmitt, Mr. Mark Eckhoff of the National Archives advised that "we have been unable to locate the enclosures mentioned in Commission Exhibit 3146." From my own knowledge of the Commission's files, I believe that these items may or may not actually still be there. Because of the large number of pages involved, I am not asking for a copy at this time; I hope you will provide a copy to the Archives, so that I can order pages through them and so that other researchers will also have access to this material. (It is noted that some of the requested items may be repeated in substance in CD 1546.)

(2) By letter of March 5, 1969 to Mr. Schmitt, Mr. Eckhoff advised that "documents containing the name of Thomas Vallee are withheld from research at the request of the Federal Bureau of Investigation." I do have five pages relating to Vallee (sometimes spelled Valle): CD 149, page 19*, CD 460, pages 1-2*, and CD 462, pages 1-2. I cannot specifically identify all the withheld pages relating to Vallee, but one possibility is page 2 of CD 149; also, since the Vallee incident occurred early in November 1963, I would expect that it was covered by the first Chicago report to be submitted to the Commission, CD 47. (This is the report of SA Pedrotty, dated 12/2/63.)

As you may know, Mr. Sherman Skolnick has filed suit against the National Archives for, among other things, all Warren Commission material relating to Vallee. (This suit is Civil Action No. 70-C-790, filed on April 6, 1970, in the U.S. District Court for the Northern District of Illinois, Eastern Division.) I am most definitely not working with or for Mr. Skolnick, and I share neither his interpretation of the Vallee incident nor his peculiar ideas on the appropriate procedure for obtaining more information. I do think the Vallee matter is of some interest; however, and am therefore taking this action to request the

ENCLOSURE

June 8, 1970

withheld material through proper channels. I am asking that the withheld material be reviewed to see if, in light of the information and allegations already publicized by Mr. Skolnick, the original reasons for withholding are no longer relevant.

(3) Mr. Kleindienst wrote me on January 9, 1970 that items 1A1 through 1A4 of the New Orleans FBI file 97-74 do not pertain to Lee Harvey Oswald and are withheld as part of an investigatory file. The present request is for all reports, serials, memoranda, and other material in the 97-74 file (which I believe is entitled "Fair Play for Cuba Committee - New Orleans Division) which do relate to the activities of the FPCC in New Orleans from April to November 22, 1963, or to Lee Harvey Oswald, also known as A. J. Hidell. (Mr. Alan Belmont of the FBI testified to the Warren Commission that around that time the FBI had no information on current organized FPCC activity in the New Orleans area, other than that by Oswald. See 5H9.) The only such material which I already have is the "Hands off Cuba" handbill (item 1A5) and the report of Special Agent Warren C. DeBrueys dated October 25, 1963.

Sincerely yours,

Paul L. Hoch

Paul L. Hoch

Form DJ-118
(Ed. 7-1-67)

U. S. DEPARTMENT OF JUSTICE

WASHINGTON, D. C. 20530

REQUEST FOR ACCESS TO OFFICIAL RECORD UNDER 5 U.S.C. 552(a) and 28 CFR PART 16

See instructions for payment and delivery of this form at bottom of page

NAME OF REQUESTER	ADDRESS (street, city, state and zip code)	
Paul L. Hoch	2537 Regent St., Apt. 202 Berkeley, Ca. 94704	
DATE June 8, 1970		
DO YOU WISH TO RECEIVE COPIES ? ☐ YES ☒ NO IF YES, SO INDICATE (no more than 10 copies of any document will be furnished).	NUMBER OF COPIES REQUESTED none at this time	OFFICE AND CITY WHERE RECORD IS LOCATED (if known) Washington, D.C.

DESCRIPTION OF RECORD REQUESTED (Include any information which may be helpful in locating record)

All enclosures to the letter of September 21, 1964 from J. Edgar Hoover to J. Lee Rankin, concerning Sylvia Odio. A copy of this letter, Warren Commission Exhibit 3146, is enclosed; see also my letter of this date to Mr. Kleindienst.

LITIGATION: DOES THIS REQUEST RELATE TO A MATTER IN PENDING OR PROSPECTIVE LITIGATION? ☐ YES ☒ NO

FILL IN IF IN PENDING → LITIGATION	COURT (check one) ☐ FEDERAL ☐ STATE	DISTRICT	NAME OF CASE	DOCKET NUMBER

Paul L. Hoch
SIGNATURE

FOR USE BY DEPARTMENT OF JUSTICE ONLY

THIS REQUEST IS:

☐ GRANTED

☐ DENIED

☐ REFERRED

A MINIMUM FEE OF $3.00 MUST ACCOMPANY THIS REQUEST. OTHER CHARGES ARE AS FOLLOWS. (do not write in this box)

FOR SECOND AND EACH ADDITIONAL ONE QUARTER HOUR SPENT IN SEARCHING FOR OR IDENTIFYING REQUESTED RECORD $ 1.00 ____

FOR EACH ONE QUARTER HOUR SPENT IN MONITORING REQUESTER'S EXAMINATION OF MATERIAL $ 1.00 ____

COPIES OF DOCUMENTS:
50¢ FIRST PAGE, 25¢ EACH ADDITIONAL PAGE ____

FOR CERTIFICATION OF TRUE COPY $ 1.00 EACH ____

FOR ATTESTATION UNDER THE SEAL OF THE DEPARTMENT $ 3.00 EACH ____

GSA CHARGE ____

TOTAL CHARGE ____

Payment under this section shall be made in cash, or by United States money order, or by check payable to the Treasurer of the United States. Postage stamps will not be accepted.

ENCLOSURE

This form may be delivered to any of the offices listed in 28 C. F. R. 16.2 or mailed to: Office of the Deputy Attorney General, Department of Justice, Washington, D. C. 20530

about fifty photographs were made of the area involved in the shooting and a small drawing was made of the sixth floor by Detectives J. B. Hicks and A. D. Studebaker.

The cartons in the area where the rifle was found and also the cartons near the window where the spent bullets were found were dusted for prints. A small print was found on the top northeast corner of a carton that appeared to have been used by the assassin to sit on while aiming the rifle. This palm print was collected and preserved along with the carton it came off of, and three cartons stacked by the window apparently to rest the rifle on.

Lieutenant Day returned to the Identification Bureau about 7:00 P.M. and started checking the rifle for prints. The fingerprints were found on the side of the rifle near the trigger and scope housing and a palm print was found on the underside of the gun barrel near the end of the stock. It appeared probable these prints were from the right palm and fingers of Lee Harvey Oswald, but the rifle was released to the F.B.I. to be sent to Washington, D. C. before the examination was completed and positive identification of the prints could be made. The prints were not very good for comparison purposes.

Paraffin casts were made of Oswald's hands and the right side of his face about 9:00 P.M. November 22, 1963, in the Homicide Bureau office by Sergeant W. E. Barnes 995 and Detective J. H. Hicks. These casts were sent to Austin November 23, 1963 for nitrate tests.

All other evidence collected by the crime scene search was released at 11:45 P.M. November 22, 1963 to Agent Vince Drain to be delivered to the F.B.I. headquarters at Washington, D.C.

Respectfully submitted,

J. C. Day 991
Lieutenant of Police
Identification Bureau

JCDimel

COMMISSION EXHIBIT No. 3145—Continued

September 21, 1964

BY COURIER SERVICE

Honorable J. Lee Rankin
General Counsel
The President's Commission
200 Maryland Avenue, N. E.
Washington, D. C.

Dear Mr. Rankin:

Reference is made to your letter dated August 20, 1964, dealing with the claim of Sylvia Odio that Lee Harvey Oswald and two other individuals visited at her apartment in Dallas, Texas, on September 26 or 27, 1963. Sylvia Odio in testifying before the Commission states that the man believed by her to be Lee Harvey Oswald was introduced to her as "Leon Oswald."

In connection with investigation requested in letter of reference, there are enclosed two copies each of memoranda dated September 8, September 10 and September 11, 1964. There are also enclosed two copies each of a memorandum dated September 14, 1964, and the eighteen attachments thereto.

On September 10, 1964, we located one Loran Eugene Hall at Johnsondale, California. Hall has been identified as a participant in numerous anti-Castro activities. He advised that in September, 1963, he was at Dallas, Texas, soliciting aid in connection with an anti-Castro cause. He recalled meeting a Cuban woman, Mrs. Odio who lived in a garden-type apartment at 1026 Angelina Circle, Dallas, Texas. He recalled that at the time of his visit he was accompanied by Laurence Howard, a Mexican-American from East Los Angeles and William Seymour from Arizona. He denied that Lee Harvey Oswald was with him during his visit to Mrs. Odio's apartment in September, 1963.

Hall stated that William Seymour is similar in appearance to Lee Harvey Oswald and that Seymour spoke only a few words of Spanish. In connection with the revelations of

COMMISSION EXHIBIT No. 3146

Honorable J. Lee Rankin

Hall, you will note that the name Loran Hall bears some phonetic resemblance to the name Leon Oswald.

We have obtained photographs of Loran Hall and will attempt to obtain photographs of William Seymour and Laurence Howard for display to Mrs. Odio. We are continuing our investigation into the claims of Sylvia Odio with particular emphasis on efforts to determine if Hall, Howard and Seymour may be identical with the three individuals who visited her in late September, 1963. The results of our inquiries in this regard will be promptly furnished to you.

Sincerely yours,

Enclosures - 44

- 2 -

COMMISSION EXHIBIT No. 3146—Continued

FD-302 (Rev. 3-3-59) FEDERAL BUREAU OF INVESTIGATION

Date September 10, 19

1

SYLVIA ODIO advised that she resides with her four small children in a one family house at 4223 West Lovers Lane, Dallas, Texas. She stated that she is currently employed by Knoll Associates, Incorporated, 290 Decorative Center, Dallas, Texas.

Miss SYLVIA FURCINIA ODIO was born on May 4, 1937, at Havana, Cuba. She speaks English fluently.

SYLVIA ODIO noted that she is planning to move with her four children around the end of September to Miami, Florida, where she intends to unite her nine brothers and sisters into one family. She stated she does not have a house located as yet in Miami, but her eldest brother, CESAR ODIO, presently resides at 1600 Southwest 82nd Place, Miami, Florida.

Miss ODIO stated she is from a large family consisting of ten brothers and sisters, namely, CESAR, AMADOR, JAVIER, FREDDY, SONIA, SARA, ANNIE, MARY LOU, CRISTINA and herself. Her parents, AMADOR ODIO-PADRON and SARA DEL TORO, are still in Cuba. Her father is in jail on the Isle of Pines, Cuba, for being an enemy of the Castro Government. Her mother is now in Santiago de Cuba, Oriente, Cuba. She stated that all of her brothers and sisters are in the United States. Several of the younger brothers and sisters are now in an orphanage in Dallas. All of the brothers and sisters will be reunited in Miami, with the exception of one sister, SARA, who recently married JACO MEIER and who will continue to reside in Dallas.

Miss ODIO stated her father, AMADOR ODIO-PADRON, was active in the Cuban underground assisting CASTRO in the revolution against BATISTA. Her father was exiled twice previously from Cuba during BATISTA's era. After FIDEL CAST

on 9/9/64 at Dallas, Texas File # DL 100-10461

by Special Agent RICHARD J. BURNETT /jtf Date dictated 9/9/64

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

Commission Exhibit No. 3

COMMISSION EXHIBIT No. 3147

Form DJ-118
(Ed. 7-4-67)

U. S. DEPARTMENT OF JUSTICE

WASHINGTON, D. C. 20530

REQUEST FOR ACCESS TO OFFICIAL RECORD
UNDER 5 U.S.C. 552(a) and 28 CFR PART 16

See instructions for payment and delivery of this form at bottom of page

NAME OF REQUESTER	ADDRESS (street, city, state and zip code)
Paul L. Hoch	2537 Regent St., Apt. 202 Berkeley, Ca. 94704
DATE: June 6, 1970	

DO YOU WISH TO RECEIVE COPIES? ☒ YES ☐ NO IF YES, SO INDICATE (no more than 10 copies of any document will be furnished).	NUMBER OF COPIES REQUESTED 1	OFFICE AND CITY WHERE RECORD IS LOCATED (if known) New Orleans or Washington, D.C.

DESCRIPTION OF RECORD REQUESTED (Include any information which may be helpful in locating record)

All material in the New Orleans file 97-74 of the F.B.I. which relates in any way to Lee Harvey Oswald, also known as A. J. Hidell, or his possible associates in the New Orleans Chapter of the Fair Play for Cuba Committee. (For further details, and exceptions, see my letter of this date of Mr. Kleindienst.)

LITIGATION: DOES THIS REQUEST RELATE TO A MATTER IN PENDING OR PROSPECTIVE LITIGATION? ☐ YES ☒ NO

FILL IN IF IN PENDING → LITIGATION	COURT (check one) ☐ FEDERAL ☐ STATE	DISTRICT	NAME OF CASE	DOCKET NUMBER

Paul L. Hoch
SIGNATURE

FOR USE BY DEPARTMENT OF JUSTICE ONLY

THIS REQUEST IS:

☐ GRANTED

☐ DENIED

☐ REFERRED

A MINIMUM FEE OF $3.00 MUST ACCOMPANY THIS REQUEST. OTHER CHARGES ARE AS FOLLOWS. (do not write in this box)

FOR SECOND AND EACH ADDITIONAL ONE QUARTER HOUR SPENT IN SEARCHING FOR OR IDENTIFYING REQUESTED RECORD $ 1.00	
FOR EACH ONE QUARTER HOUR SPENT IN MONITORING REQUESTER'S EXAMINATION OF MATERIAL $ 1.00	
COPIES OF DOCUMENTS: 50¢ FIRST PAGE, 25¢ EACH ADDITIONAL PAGE	
FOR CERTIFICATION OF TRUE COPY $ 1.00 EACH	
FOR ATTESTATION UNDER THE SEAL OF THE DEPARTMENT $ 3.00 EACH	
GSA CHARGE	
TOTAL CHARGE	

Payment under this section shall be made in cash, or by United States money order, or by check payable to the Treasurer of the United States. Postage stamps will not be accepted.

ENCLOSURE

This form may be delivered to any of the offices listed in 28 C. F. R. 16.2 or mailed to: Office of the Deputy Attorney General, Department of Justice, Washington, D. C. 20530

Form D.J.-118
(Ed. 7-4-67)

U. S. DEPARTMENT OF JUSTICE

WASHINGTON, D. C. 20530

REQUEST FOR ACCESS TO OFFICIAL RECORD UNDER 5 U.S.C. 552(a) and 28 CFR PART 16

See instructions for payment and delivery of this form at bottom of page

NAME OF REQUESTER	ADDRESS (street, city, state and zip code)
Paul L. Hoch	2537 Regent St., Apt. 202 Berkeley, Ca. 94704
DATE: June 8, 1970	

DO YOU WISH TO RECEIVE COPIES? ☒ YES ☐ NO IF YES, SO INDICATE (no more than 10 copies of any document will be furnished).	NUMBER OF COPIES REQUESTED: 1	OFFICE AND CITY WHERE RECORD IS LOCATED (if known): Washington, D.C.

DESCRIPTION OF RECORD REQUESTED (Include any information which may be helpful in locating record)

All FBI reports relating to Thomas Vallee (or Valle) and his arrest in Chicago on November 2, 1963 which were provided to the Warren Commission. (Exceptions: 5 pages which I already have; see my letter of this date to Mr. Kleindienst.)

Please see my letter.

LITIGATION: DOES THIS REQUEST RELATE TO A MATTER IN PENDING OR PROSPECTIVE LITIGATION? ☐ YES ☐ NO

FILL IN IF IN PENDING → LITIGATION	COURT (check one) ☐ FEDERAL ☐ STATE	DISTRICT	NAME OF CASE	DOCKET NUMBER

Paul L. Hoch
SIGNATURE

FOR USE BY DEPARTMENT OF JUSTICE ONLY

THIS REQUEST IS:

☐ GRANTED

☐ DENIED

☐ REFERRED

A MINIMUM FEE OF $3.00 MUST ACCOMPANY THIS REQUEST. OTHER CHARGES ARE AS FOLLOWS. (do not write in this box)

FOR SECOND AND EACH ADDITIONAL ONE QUARTER HOUR SPENT IN SEARCHING FOR OR IDENTIFYING REQUESTED RECORD $ 1.00	
FOR EACH ONE QUARTER HOUR SPENT IN MONITORING REQUESTER'S EXAMINATION OF MATERIAL $ 1.00	
COPIES OF DOCUMENTS: 50¢ FIRST PAGE, 25¢ EACH ADDITIONAL PAGE	
FOR CERTIFICATION OF TRUE COPY $ 1.00 EACH	
FOR ATTESTATION UNDER THE SEAL OF THE DEPARTMENT $ 3.00 EACH	
GSA CHARGE	
TOTAL CHARGE	

Payment under this section shall be made in cash, or by United States money order, or by check payable to the Treasurer of the United States. Postage stamps will not be accepted.

This form may be delivered to any of the offices listed in 28 C. F. R. 16.2 or mailed to: Office of the Deputy Attorney General, Department of Justice, Washington, D. C. 20530

The Deputy Attorney General July 1, 1970

Director, FBI

1 - Mr. C. D. DeLoach
1 - Mr. W. C. Sullivan
1 - Mr. K. M. Raupach
1 - Mr. W. A. Branigan
1 - Mr. T. N. Goble

EX-217 REC-28 6743

FREEDOM OF INFORMATION ACT:
PAUL L. HOCH

Reference is made to your letter dated June 19, 1970, and to our letter dated June 25, 1970, both captioned as above.

Mr. Hoch makes three requests (Forms DJ-118) for access to information relating to the assassination of President Kennedy. His letter is returned herewith.

1. He requests all enclosures which were sent with our letter dated September 21, 1964, addressed to Mr. J. Lee Rankin of the Warren Commission, concerning Sylvia Odio. This is Commission Exhibit No. 3146. Mr. Hoch quotes a letter from Mr. Mark Eckhoff of the National Archives that "We have been unable to locate the enclosures mentioned in Commission Exhibit 3146." Mr. Hoch states he does not wish copies at this time of the enclosures but requests that copies be provided to the National Archives.

The files of this Bureau reveal that our letter dated September 21, 1964, and its 44 enclosures were delivered to the Warren Commission. As noted above, the Commission identified the letter as Commission Exhibit No. 3146. The Commission published it on pages 834 and 835 of Volume XXVI of the "Hearings Before the President's Commission on the Assassination of President Kennedy." Several of the 44 enclosures were also printed by the Warren Commission in Volume XXVI. For instance, Commission Exhibit No. 3147 appears on pages 835-838 of this Volume. Commission Exhibit No. 3148 was printed on pages 838 and 839 of this Volume. Both of these items were enclosures to our letter of September 21, 1964.

For your assistance, I am enclosing one copy of Commission Exhibit No. 3146. I am also enclosing one copy of each of the items originally transmitted with it to the Warren Commission. There are 22 different items. Two copies

MAILED 5 JUL 10 1970 COMM-FBI

Tolson
DeLoach
Walters
Mohr
Bishop
Casper
Callahan
Conrad
Felt
Gale
Rosen
Sullivan
Tavel
Soyars
Tele. Room
Holmes

TNG:mkl (9)
1 - 105-82555 (Oswald)

JUL 10 1970

SEE NOTE PAGE FIVE

7 0 JUL 15 1970 TELETYPE UNIT

UNRECORDED COPY FILED IN 105-82555-1135 4-1-830

of each were originally furnished to the Warren Commission, amounting to the total of 44 enclosures. We have no objection to your furnishing these items to the National Archives if you deem it advisable for the completion of the files of that Agency.

So far as public disclosure of these items is concerned, we note that we are unable to determine from our files whether or not these items were ever reviewed under the Guidelines approved on April 19, 1965, by Mr. McGeorge Bundy, the then Special Assistant to the President, since we do not know the Commission Document number assigned to each of these items. Upon viewing these items, the National Archives may be able to determine these numbers and also whether or not the items were reviewed from the standpoint of whether they could be placed in the public domain. Should you determine it advisable to furnish these items to the National Archives, we believe this matter should be called to the attention of appropriate personnel there. You will note that none of the items is classified.

2. Mr. Hoch requests "all FBI reports relating to Thomas Vallee (or Valle) and his arrest in Chicago on November 2, 1963, which were provided to the Warren Commission." He explains that Mr. Eckhoff of the National Archives advised by letter of March 5, 1969, that "Documents containing the name of Thomas Vallee are withheld from research at the request of the Federal Bureau of Investigation." Mr. Hoch states that he has five pages relating to Vallee: "CD 149, page 19*; CD 460, pages 1-2*; and CD 462, pages 1-2."

The results of the FBI investigation concerning Thomas Vallee are located in six reports which were furnished to the Warren Commission and which are now on file at the National Archives. These reports, all captioned "Lee Harvey Oswald," are:

(a) December 2, 1963, Chicago report of Special Agent Leo E. Pedrotty. This is Commission Document (CD) 47, which Mr. Hoch mentioned in his letter, speculating that it contains material relative to Vallee. The report totals 80 pages. Pages 1 (Synopsis), 1A, 10, 11, 12, 13, and 14 are the only pages which contain material relative to Vallee. Enclosed is one copy of each of these pages. All of them have been

withheld from public disclosure, along with other pages in this report not related to Vallee, pursuant to Guideline 3C: "would be a source of embarrassment to innocent persons, who are the subject...of the material in question, because it contains...details of a personal nature having no significant connection with the assassination of the President." It is noted these pages contain information concerning Vallee's mental condition.

(b) December 5, 1963, Chicago report of Special Agent Dennis W. Shanahan. This is CD 109, an 11-page report. Pages 1 (Synopsis), 2, 3, and 4 are the only pages containing material relative to Vallee, and these pages have also been withheld from public disclosure under Guideline 3C. They contain the results of a review of the Veterans Administration files concerning Vallee. Enclosed is one copy of each of these pages.

(c) December 5, 1963, St. Louis report of Special Agent Albert J. Rushing, Jr. This is CD 117, a six-page report. Pages 1, 4, 5, and 6 are the only pages which relate to Vallee, and enclosed is one copy of each of these pages. This entire report was withheld from public disclosure pursuant to Guideline 3C. You will note the material on Vallee concerns his military records, including the information that he was discharged from the Marine Corps for a physical disability described as "schizophrenic reaction."

(d) December 10, 1963, Chicago report of Special Agent Dennis W. Shanahan. This is CD 149, a 19-page report. Page 19 is the only page which relates to Vallee, and it is available to the public. Mr. Hoch states in his letter that he has this page. He speculates that page 2 of this report also deals with Vallee. It does not, and there is enclosed a copy of it for your information. Page 2 has been withheld from the public under Guideline 3B: "might reveal the identity of confidential sources of information..."

(e) February 5, 1964, Chicago report of Special Agent Dennis W. Shanahan. This is CD 460, a two-page report available to the public, and Mr. Hoch states he has seen it.

(f) February 12, 1964, Chicago report of Special Agent Dennis W. Shanahan. This is CD 462, a four-page report available to the public. Pages 1 and 2 deal with Vallee, and Mr. Hoch states in his letter that he has seen these.

The Deputy Attorney General

You have requested our comments on whether the material Mr. Hoch has requested should be made available to him. So far as is known by this Bureau, the reasons for withholding from the public the material relevant to Vallee, that is, the reasons under Guideline 3C, are still valid. We have no information indicating otherwise. This being the case, it would appear the material on Vallee should not be made available to Mr. Hoch.

Page two of CD 149, which Mr. Hoch specifically mentions, should not be made available to him because it does not pertain to Vallee and because it falls within Guideline 3B, as noted above.

3. Mr. Hoch requests "all material in the New Orleans file 97-74...which relates in any way to" Oswald or his associates in the New Orleans Chapter of the Fair Play for Cuba Committee (FPCC).

Our letter to you dated December 16, 1969, classified "Secret," entitled "Request Under the Freedom of Information Act for Records Possibly Contained in the Files of the Federal Bureau of Investigation," discussed the 1A Section of New Orleans file 97-74, and we concluded that disclosure to Mr. Hoch of the records in this Section would be contrary to the public interest. Mr. Hoch now requests all material in the New Orleans file relating to the FPCC from April, 1963, to November 22, 1963, or to Oswald. We have made a careful review of these records requested by Mr. Hoch and have concluded that the substance of the material in these items is already available to the public. We think also that disclosure of them to Mr. Hoch would be contrary to the public interest. We believe compelling reasons exist for invoking the exemption provided in the Freedom of Information Act and for denying Mr. Hoch's request for those records since the items involved are contained in investigatory files compiled for law enforcement purposes.

The New Orleans file 97-74 contains eight items concerning Oswald in the period in question, and one copy of each is enclosed for your information as follows:

(a) Memorandum of Special Agent Stephen M. Callender to Special Agent in Charge, New Orleans, dated August 9, 1963;

(b) Complaint Form dated August 16, 1963, submitted by Special Agent Merriman D. Diven;

The Doputy Attorney General

(c) New Orleans letter to Director, FBI, dated August 23, 1963;

(d) Memorandum of Special Agent John L. Quigley to Special Agent in Charge, New Orleans, dated August 27, 1963;

(e) Characterization of FPCC with indices search slip attached;

(f) A second characterization of FPCC;

(g) New Orleans report dated October 25, 1963, concerning FPCC made by Special Agent Warren C. DeBrueys. Mr. Hoch states in his letter that he already has this report;

(h) Undated letter addressed to Mr. Lee signed "Lee H. Oswald."

You will observe that these items contain administrative notations placed thereon by personnel of our New Orleans Office. Furnishing these items to Mr. Hoch can serve no purpose and can only provoke further inquiry from him.

You will note that the New Orleans report of October 25, 1963, covers information developed in the investigation of Oswald based upon his activities for the FPCC in August, 1963, and following. This report was furnished to the Warren Commission (CD 1114) and is presently available to the public in the National Archives. The memoranda, the Complaint Form, the letter to Bureau Headquarters, and the characterizations were items leading to the report or incorporated in it. The last item, Oswald's undated letter to Lee, is also available to the public, published in full by the Warren Commission in Volume XX, pages 518-521, of the Hearings material.

In summary, of these eight items, two are already available to the public, one being the report which was prepared to cover all information developed in the investigation of Oswald, including the information in the six items which are not available to the public. It is the recommendation of this Bureau that Mr. Hoch's request for these items be denied.

Enclosures - 51

NOTE: See memorandum Branigan-Sullivan, same caption, dated 6/30/70, prepared by TNG:mkl.- 5 -

Mr. Mason	
Mr. Deloach	
Mr. Walters	
Mr. Mohr	
Mr. Bishop	
Mr. Casper	
Mr. Callahan	
Mr. Conrad	
Mr. Felt	
Mr. Gale	
Mr. Rosen	
Mr. Sullivan	
Mr. Tavel	
Mr. Soyars	
Tele. Room	
Miss Holmes	
Miss Gandy	

United States Attorney
Topeka, Kansas

June 3, 1970

WDR:JFAxelrad:lbd
78-29-34

William D. Ruckelshaus
Assistant Attorney General, Civil Division
By: Harland F. Leathers
Chief, General Litigation Section

REC 14

John Nichols v. United States, et al.
USDC D Kansas, Civil No. T-4526
(YOUR FILE 15,605)

Attention: Mr. Charles D. McAtee
Asst. U.S. Attorney

This responds to your May 27, 1970 letter to us. You may enter into a stipulation dismissing these proceedings pursuant to Rule 41(a)(1) if plaintiff's counsel so requests.

cc: General Services Administration
Washington, D.C. 20405

Attention: Mr. Byron E. Harding
Associate General Counsel

cc: Mr. J. Edgar Hoover
Director, Federal Bureau of Investigation

cc: Treasury Department
Washington, D.C. 20220

Attention: General Counsel

REC 14

15 JUL 1970

EXP. PROC.
JUN 4 1970

F 555

66 JUL 16 1970

62-109060

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27

UNITED STATES GOVERNMENT

Memorandum

Tolson
DeLoach
Walters
Mohr
Bishop
Casper
Callahan
Conrad
Felt
Gale
Rosen
Sullivan
Tavel
Soyars
Tele. Room
Holmes
Gandy

TO : Mr. W. C. Sullivan

DATE: June 30, 1970

FROM : W. A. Branigan

1 - Mr. C. D. DeLoach
1 - Mr. W. C. Sullivan
1 - Mr. K. M. Raupach
1 - Mr. W. A. Branigan
1 - Mr. T. N. Goble

SUBJECT: FREEDOM OF INFORMATION ACT:
PAUL L. HOCH

Paul L. Hoch is the Berkeley, California, man who has been making inquiries about the assassination of President Kennedy for at least the last five years. On a memorandum dated 10/6/69 concerning Hoch, the Director noted, "I dislike the humoring of a character like Hoch who is obviously a 'smear' artist."

Deputy Attorney General has referred Hoch's current three requests for our comments and recommendations. First request deals with location and identification of enclosures to one of our letters to the Warren Commission. Archives has the letter and some of the enclosures are identified in Warren Commission Report. We have no objection to Department advising Archives of identity of all enclosures to facilitate location of them, and this is essentially Hoch's request. Second request deals with documents kept from public because they contain personal information about mental condition of a man, an innocent person, which could embarrass him. Our position remains unchanged, that these records still fall within one of the Guidelines originally established to protect the innocent. The third request deals with material in the New Orleans file on the Fair Play for Cuba Committee (FPCC). We recommend not giving this material to Hoch because substance is already publicly available at Archives and items are contained in investigatory files compiled for law enforcement purposes. We are enclosing for review by the Department pertinent serials from the New Orleans file so Department can see for itself that these are from our "raw" files.

ACTION: Attached for approval is letter to the Deputy Attorney General, commenting on information Hoch is seeking and setting forth our position.

Enclosure
I - 105-82555 (Oswald)
TNG:mkl (7)

EX 105

-6945

REC-48 17 JUL 7 1970

5 5 JUL 16 1970

JUL 9 1970

Assistant Attorney General
Civil Division

July 6, 1970

Director, FBI

1 - Mr. Raupach

MARINA N. OSWALD PORTER;
ET AL. VS.
UNITED STATES
U. S. DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
CIVIL ACTION #CA3-2282
FEDERAL TORT CLAIMS ACT

Reference is made to my letters captioned as above dated June 3, 1970, and June 17, 1970, in which it was requested that this Bureau be furnished a copy of the Department's reply to a letter from Mr. Erich F. Klein, Jr., Attorney, dated May 28, 1970, who is representing Marina N. Oswald Porter.

I would appreciate being advised as to when a copy of the Department's reply to Mr. Klein will be received.

KMR:dvj
(4)

NOTE: We received a letter from Erich E. Klein, Jr., Dallas, Texas, who is representing Marina N. Oswald Porter, former wife of Lee Harvey Oswald, concerning a claim made against the US to recover value of evidentiary items taken from Marina and/or Lee Harvey Oswald following the assassination of President Kennedy. In Klein's letter he stated a claim was made for loss or damage to personal property caused by negligence or wrongful acts or omissions of the employees of the FBI. The Department has been handling this entire suit and was handling the reply to Mr. Klein disclaiming any negligence or wrongful acts on our part. This is the third communication we have written to the Department requesting a copy of the Department's reply.

MCT-48
REC 25

62-109060-6916

19 JUL 7 1970

EX-109

MAILED 9
JUL 6 1970
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59 JUL 16 1970

1-Mr. Conrad
1-Mr. Sullivan 1-Mr. Frazier
1-Mr. Rosen 1-Office, 7133
1-Mr. Raupach
July 10, 1970

Airmail

DEC-57
REC 7 - 6947

Mr. David Lifton
11318 1/2 Dorothy Street
Los Angeles, California 90049

Dear Mr. Lifton:

Reference is made to your letter dated July 1, 1970.

As you were previously advised in my letter of May 22, 1970, and by Special Agent John Morrison of our Los Angeles Office, the material specified in the receipt dated November 22, 1963, signed by Special Agents Francis X. O'Neill and James W. Sibert was assigned Commission Exhibit 348 by the Warren Commission.

Sincerely yours,

J. Edgar Hoover

John Edgar Hoover
Director

MAILED 9
JUL 10 1970
COMM-FBI

1-Los Angeles (with copy of incoming)

NOTE: The receipt referred to was furnished Navy authorities by SAs Francis X. O'Neill and James W. Sibert at the time they received two lead fragments removed from President Kennedy's head at the autopsy. Addressee was so advised by letter (62-109060, Ser 6932). He appeared to be confused in his following letter of 6/1/70 so we asked the Los Angeles Office to contact him and clear up this matter. No derogatory info re Lifton in Bu indices.

RAF:moh:nlb (9)

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JUL 28 1970 TELETYPE UNIT

13 JUL 28 1970
SEC'D - MOHR

11818½ Dorothy St.,
L.A. Calif. 90049
July 1, 1970

J. Edgar Hoover
Director
Federal Bureau of Investigation
United States Department of Justice
Washington, D.C. 20535

Dear Mr. Hoover,

The purpose of this letter is to request written confirmation from you of the information furnished to me by telephone last Friday, June 26, by Special Agent John Morrison, of the Los Angeles Field Office of the FBI.

Mr. Morrison had contacted me following my letter to you of June 1, 1970 (attached).

He informed me that the FBI in Washington was confused by the nature of my request, and asked if I would please clarify for him exactly what it was that I wanted.

We discussed the matter thoroughly and, inasmuch as Agent Morrison did not have my June 1 letter, he concluded by writing down the two questions which I had asked in that letter, verbatim.

Quoted from my letter of June 1, 1970, they are:

> "Precisely, I am asking: Is the physical evidence designated Warren Commission Exhibit 843 the evidence for which the attached FBI receipt was issued? In other words, do the FBI receipt and Warren Commission Exhibit 843 designate the same physical evidence?"

Agent Morrison recontacted me by telephone last Friday, June 26, to say that the Washington headquarters had told him to tell me that the answer to both these questions was "yes".

Would you please confirm this in writing?

I would like at this time to thank you for the attention your organization has given this matter, and also to restate to you, in somewhat synopsized form, my feelings about the significance of this matter, just as I expressed them to Agent Morrison on Monday and Tuesday, June 22 and June 23, when he first spoke to me about this by telephone.

As you know, the autopsy on the body of President John F. Kennedy was conducted at Bethesda Naval Hosptial on the evening of the assassination, by Commander James Humes, USN, and Commander J. Thornton Boswell (and assisted by Lt. Col. Pierre Finck, USA, of the Armed Forces Institute of Pathology).

EXPEDITE

REC-57

JUL 6 1970

A central medical fact of this autopsy---a fact on which the medical diagnostics leading to the forensic-medical conclusions concerning trajectory are based----is that there were no bullets in the body of President John F. Kennedy at the time of his autopsy.

As your two agents, Francis X. O'Neill, Jr., and James W. Sibert, wrote in their report:

> "Inasmuch as no complete bullet of any size could be located in the brain area and likewise no bullet could be located in the back or any other area of the body as determined by total body X-rays and inspection revealing there was no point of exit, the individuals performing the autopsy were at a loss to explain why they could find no bullets."
>
> (p. 284, Gemberling Report of Dec. 10, 1963; also referred to as Commission Document 7)

The medical explanation for this fact that there are no bullets in the body is provided by the Navy's autopsy report. It states that each of the two bullets that struck the President's body struck it from behind, exited, and was found elsewhere. (One, Commission Exhibit 399, was found on a stretcher at Parkland Hospital; two other pieces of bullet, large enough to be useful for ballistic matching, were found in the front of the President's limousine at the White House garage about 10 o'clock on the evening of the assassination. These are designated as Warren Commission Exhibits 567 and 569.) The Warren Commission, in turn, used this autopsy report as key evidence in arriving at its conclusion as to the location of the assassin.

In this manner, the recovered ammunition (that is large enough to be useful for ballistic matching to the alleged assassination rifle) is consistent with the medical trajectories described by the Navy autopsy report, and all such known recovered ballistic evidence is accounted for at the time of the official investigation, and today, as Warren Commission Exhibits, at the U.S. National Archives.

The only metal recovered from the President's body during the autopsy examination were 2 tiny slivers of millimeter dimensions, which were recovered from the area of the head. They were, according to the previously referred to report of Special Agents Sibert and O'Neill, "placed in a glass jar containing a black metal top which were (sic) thereafter marked for identification and following the signing of a proper receipt were transported by Bureau agents to the FBI Laboratory." (Commission Document 7, p. 284)

As a person who has spent over 3 years researching this case in connection with a manuscript, I was indeed astonished when the U.S. Secret Service released, in 1969, further evidence which it

had not sent to the Warren Commission at the time of the official investigation, and which it now sent directly to the National Archives. I was further suprised that one of the items that the Secret Service released in 1969 was an FBI receipt for evidence, specifically, a receipt for " a missile removed by Commander James J. Humes, MC, USN on this date " and being further described, on the Protective Research Section's November 26, 1963 receipt, as " a missile removed during the examination of the body" . (An archives copy of this Nov. 26, 1963 Treasury Dept. receipt is attachment 3 to my May 12, 1970 letter).

This FBI receipt, dated 22 November 1963, and signed by Special Agents Sibert and O'Neill, has been the subject of this correspondance.

The only known evidence, of course, to which this receipt could possibly correspond, is these two tiny slivers of metal, removed from the President's head by Commander Humes, put in the glass jar with the black top, and given to Special Agents Sibert and O'Neill.

However, the use of the word "missile", rather than "fragment", as the use of the singular, rather than the plural (there were two metal fragments in the glass jar) as well as the fact that the receipt's descriptive wording makes no reference whatsoever to the glass jar in which the two little slivers were contained (which, according to the report of Special Agents Sibert and O'Neill, was "marked for identification")-----these factors raised the most serious question in my mind as to whether or not this receipt could possibly be for those two metal slivers in a glass jar with a black cap, to which certain markings were specifically afixed for identification purposes.

This, concomittantly, raised the most serious question of whether or not there was evidence in this case---specifically, a bullet---whose existance had not come to the attention of the Warren Commission during its official inquiry and, perhaps, had not even come to the attention of the FBI Bureau Headquarters in Washington, D.C.

However ominous these possibilities might sound, it is also obvious that a perfectly innocent explanation for these circumstances is simply that we are dealing here with a poorly worded receipt for the two bullet slivers contained in the glass jar, later to become Commission Exhibit 843.

I am sure you will take no offense at the fact that a researcher, confronted with these circumstances in a case of this type, might consider as being within the realm of the possible, explanations which are inconsistent with the conclusions of an official investigation.

Regarding the innocent explanation which I have previously put forward, I should like to point out that the Sibert and O'Neill report states (p.283, CD 7) that the receipts for evidence were typed up by AMC Chester H. Boyers, U.S. Navy.

Thus the receipt, although signed by two Special Agents of the FBI, may very well have been a receipt that was not only typed, but also worded, by a Navy man.

Speaking personally, if I were to give someone a marked glass jar containing two tiny metal slivers from a bullet, I might request a receipt using words which mentioned the jar, the markings specifically affixed to it for identification purposes, the words "bullet fragment(s)" , and possibly the number "two". When all is said and done, I think you will agree that the wording on this receipt could have been more precise, if it was intended to apply to the glass jar containing what we now call Commission Exhibit 843.

Thus, the combined circumstances of the lack of more descriptive and accurate wording on the receipt, plus the Secret Service action in turning over this FBI receipt for evidence 5 years after the close of the Warren Commission's investigation, naturally led to a considerable amount of bewilderment on my part.

It is very unfortunate, from the FBI's point of view, that the Secret Service's action in releasing this evidence (the FBI receipt) in 1969, as well as the Navy's action in (possibly) choosing poor wording, at the time it was typed, produces a situation which admits of the interpretation that the FBI either did not receive key evidence on November 22, or did not bring all the evidence it did receive to the attention of the Warren Commission.

I must quickly add that I feel sure, after my conversation with Special Agent John Morrison this past week, that either of these possibilities are without foundation in fact, as long as the FBI Bureau Headquraters in Washington is willing to state that this FBI receipt for evidence does in fact correspond to Warren Commission Exhibit 843.

The whole matter is so simple---and yet so profound---that I can understand why it has caused confusion on the part of all concerned.

That is why I wrote my letter dated June 1, 1970 requesting clarification, and I look forward to receiving written confirmation of what Special Agent Morrison verbally advised me this past Friday: that the answer to both question in my letter of June 1, 1970, is "yes" .

I thank you very much.

Sincerely yours,

David S. Lifton

David S. Lifton

Enclosure (1)

Xerox copy of my letter of June 1, 1970, to J. Edgar Hoover, Director, FBI.

1. 18½ Dorothy St.,
L.A. Calif., 90049
June 1, 1970

J. Edgar Hoover
Director
Federal Bureau of Investigation
United States Department of Justice
Washington, D.C. 20535

Dear Mr. Hoover,

Thank you for your reply of May 22, to my inquiry of May 12.

I feel further clarification is necessary, inasmuch as your letter makes no reference to the FBI receipt accompanying my letter which prompted my initial inquiry. Apparently, in my rather detailed discussion of the matter at hand, I failed to make a distinction between the facts as generally known, and my specific question.

Your letter refers to Warren Commission Exhibit 843 in the context of my inquiry. Precisely, I am asking: Is the physicial evidenc designated Warren Commission Exhibit 843 the evidence for which the attached FBI receipt was issued? In other words, do the FBI receipt and Warren Commission Exhibit 843 designate the same physical evidence?

Thank you for your attention to this matter.

Sincerely yours,

David Lifton

Enclosure (1)

Xerox copy of FBI receipt dated 22 November 1963, signed by Special Agents Francis X. O'Neill, Jr. and James W. Sibert, and issued to Captain J.H. Stover, Jr., Commanding Officer, U.S. Naval Medical School, National Naval Medical Center, Bethesda, Maryland.

ENCLOSURE

Form DJ-136
(Ed. 9-16-69)

UNITED STATES GOVERNMENT

DEPARTMENT OF JUSTICE

Memorandum

TO : Mr. J. Edgar Hoover
Director, F.B.I.

DATE: June 22, 1970

FROM : Richard G. Kleindienst
Deputy Attorney General

SUBJECT: Freedom of Information Act: Harold Weisberg
Assassination of President John F. Kennedy

Attached is a letter dated June 19, 1970 from Mr. Harold Weisberg in which he requests an additional photograph and argues concerning the content of my June 12 letter to him (copy also attached).

Would you please review this letter and give me your comments concerning his request and the arguments contained therein.

Mr. Tolson
Mr. DeLoach
Mr. Walters
Mr. Mohr
Mr. Bishop
Mr. Casper
Mr. Callahan
Mr. Conrad
Mr. Felt
Mr. Gale
Mr. Rosen
Mr. Sullivan
Mr. Tavel
Mr. Soyars
Tele. Room
Miss Holmes
Miss Gandy

ORIGINAL FILED IN 100-351938

62-109060

NOT RECORDED
191 JUL 10 1970

JUN 24 1970

1 - Mr. Mohr
1 - Mr. DeLoach
1 - Mr. Rosen
1 - Mr. Sullivan (Attn: T. N. Goble)
1 - Mr. Conrad-Enclosure
1 - Mr. Jevons-Enclosure
1 - Mr. Frazier
1 - Mr. Gallagher

The Deputy Attorney General

July 1, 1970

Director, FBI

62-109060

HAROLD WEISBERG: REQUESTS FOR INFORMATION UNDER FREEDOM OF INFORMATION ACT

Reference is made to your memorandum dated June 22, 1970, forwarding a letter from Mr. Weisberg for comment.

The following comments are in the order of the subject matter set forth in Mr. Weisberg's letter:

(1) Exhibit C0 (Pictures of President Kennedy's Clothing): Weisberg requested a photographic print of a composite picture showing President Kennedy's clothing. Exhibit 60 is a composite of several photographs showing various articles of the President's clothing. You were previously advised that the Bureau can ill afford to divert away from our important investigative responsibilities the time needed to search our voluminous files and prepare such material. However, since there is no single negative of this composite picture, there are attached prints made from three of the four photographic negatives from which the composite picture of Exhibit 60 was prepared to be furnished to Weisberg if you so desire. You have previously supplied Weisberg with a print of the fourth negative showing the tabs of the President's shirt.

The check in the amount of $1.25 attached to Mr. Weisberg's letter is being returned herewith for appropriate disposition.

ENCLOSURE

RHJ:mjk (11)

(SEE NOTE PAGE 4)

MAILED 22
JUL 1 1970
COMM-FBI

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54 JUL 15 1970

SEE TYPE UNIT

ORIGINAL FILED IN 100-351938-18

The Deputy Attorney General

(2) Spectrographic Analyses: In referring to the testimony regarding the spectrographic analyses of certain bullet evidence involved in the assassination, Weisberg advises that the testimony was simply that all specimens were of lead, no more. This statement is not true since the testimony as set out in Volume 5, Page 74, Line 1 of the Warren Commission Report states specifically that the various items "were found to be similar in metallic composition."

(3) Documentation Relating to David William Ferrie: Mr. Weisberg in his letter of June 19, 1970, argues in the last paragraph on Page one and the first two paragraphs on Page two with the reply you furnished him on June 12, 1970, dealing with his request for the Ferrie material.

Our observations and comments previously furnished to you regarding the Ferrie material remain unchanged; that is, the final decision as to the public disclosure of the material concerning Ferrie rests with the Department of Justice, but this Bureau has no objection to public disclosure of this material.

Mr. Weisberg argues that "all the records of the Warren Commission are not in the National Archives." This Bureau has no information that any of the Ferrie material which we furnished to the Warren Commission was not turned over by that Commission to the National Archives. It is noted that the last sentence of the Foreword to the published Report of the Commission reads: "The Commission is committing all of its

reports and working papers to the National Archives, where they can be permanently preserved under the rules and regulations of the National Archives and applicable Federal law." So far as is known by this Bureau, this was done by the Commission before it went out of existence.

Mr. Weisberg's argument in the second full paragraph of his letter draws a distinction between "documents" and "information." He does not describe what he means by "information" and the distinction he draws does not appear to make sense. Mr. Weisberg's reference to Carlos Marcello is also not clear, although the New Orleans attorney for Marcello, Mr. G. Wray Gill, advised this Bureau on November 27, 1963, that Ferrie had done some investigative work in the Marcello case. This was reported in Dallas report of Special Agent Warren C. De Brueys dated December 2, 1963, which was furnished to the Warren Commission.

(4) Concerning Receipt of Material Obtained at the Autopsy: Weisberg comments concerning Exhibit 843 containing two objects and possibly a third. He also makes comments regarding receipt of this Exhibit. Weisberg was previously advised by you that Commission Exhibit 843 consists of two lead fragments removed from President Kennedy's head at the time of the autopsy. These are the only fragments removed from President Kennedy's body and turned over to the FBI. They were described as a "missile" in the receipt furnished Navy authorities by Special Agents Francis X. O'Neill and James W. Sibert.

The Deputy Attorney General

(5) Autopsy Photographs: Weisberg was previously advised by you that the FBI has never had possession or custody of the autopsy photographs. It is difficult to determine from Mr. Weisberg's letter what he had in mind regarding this matter. However, this Bureau has never had in its possession any negatives, prints, or copies of photographs taken at the time of the autopsy.

The letter of Mr. Weisberg forwarded with your memorandum is being returned herewith.

Enclosures (5)

NOTE:

We have had previous correspondence with the Department regarding Mr. Weisberg and his requests for information under the Freedom of Information Act. Weisberg is a prolific and notorious critic of the Warren Commission, the FBI, et cetera. His criticisms have included slanting of the truth and outright lies.

Relative to the autopsy photographs mentioned in Item 5, the Laboratory has never had in its possession or custody any of these photographs or any prints, negatives or other such material relating to the autopsy. The Domestic Intelligence and the General Investigative Divisions also advise that they have never had custody of such material.

The material set out above concerning Ferrie was compiled by the Domestic Intelligence Division.

FD-36 (Rev. 5-22-64)

FBI

Date: 7/10/70

Transmit the following in _____ (Type in plaintext or code)

Via AIRTEL _____ (Priority)

TO: DIRECTOR, FBI (62-109060)

FROM: SAC, DALLAS (100-10461) (C)

SUBJECT: ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY
NOVEMBER 22, 1963, DALLAS, TEXAS
MISCELLANEOUS - INFORMATION CONCERNING

OO: DALLAS

Re Dallas airtel to Bureau dated 6/2/70.

Enclosed for the Bureau are two copies of a newspaper article appearing in the July 9, 1970, issue of "The Dallas Morning News", Dallas, Texas, reflecting that WILLIAM B. WEST, III, a court-appointed special master, had valued the personal property of LEE HARVEY OSWALD at $17,654.00. This appraisal was in connection with the $500,000.00 being sought by MARINA N. OSWALD PORTER in connection with Civil Action #CA-3-2282.

The above information is furnished the Bureau for its information, it being noted this civil matter is being handled by Attorney ERWIN GOLDBLOOM of the General Litigation Section of the U. S. Department of Justice.

EX 106
REC 18 62-109060-6949

JUL 13 1970

2 - Bureau (Enc. 2) ENCL
1 - Dallas
RPG:ph
(3)

JUL 16 1970

59 JUL 22 1970

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

(Mount Clipping in Space Below)

Lee Harvey Oswald's Property Valued at $17,654

By EARL GOLZ

A court-appointed special master here has valued Lee Harvey Oswald's personal property at $17,654, or about $450,000 less than sought by his former wife, Mrs. Marina Oswald Porter.

The final report by William B. West III, a former U.S. attorney here, is not binding on either Mrs. Porter or the United States government, which unsuccessfully had sought to limit the value to $3,050.

Either the former wife of the accused assassin of President John F. Kennedy or U.S. Atty. Gen. John Mitchell can ask for a jury trial to determine exactly how much compensation would be due Mrs. Porter for the 500 items placed permanently in the U.S. Archives at Washington, D.C.

The parties also can waive a jury trial and go before U.S. Dist. Judge Joe E. Estes for a determination, or they can settle the case out of court.

Judge Estes ordered the U.S. government, as defendant, to pay West $2,123 for his efforts. West was appointed a special master by Judge Estes on Sept. 16, 1963, to appraise the property at fair market value as of Nov. 1, 1963.

The highest appraisal given by West for a single item was $5,000 for "sheets of English writing, both sides of which appear" to be Oswald's diary.

A $2,000 appraisal was given Oswald's 32-page typewritten dissertation outlining the political, domestic and labor life of the Russian as well as other guides to the Russian political system. Five photographs accompanied the dissertation.

Also drawing a $2,000 rating were several pages of Oswald's blue ink handwriting on Holland-American Line stationery. A petite notebook with Russian script was worth an estimated $1,750, West said.

West estimated that Oswald's wallet containing various identification cards, a Dallas public library card and other papers was worth $500.

Other items and West's values included Oswald's undesirable discharge papers from the U.S. Marine Corps, $75; a passport in the name of Oswald, $100, and a bus transfer, bracelet inscribed "Lee," a key, ring, narrow black belt and a property receipt, all at $200.

Not included in the items were a Mannlicher-Carcano rifle with a telescopic sight which the Warren Commission claimed was used to shoot President Kennedy from a sixth floor window of the Texas Book Depository building.

A federal jury in Denver, Colo., on Feb. 21, 1969, had ruled that Denver oilman John J. King deserved nothing as "just compensation" for his efforts to obtain the rifle from the government. King had said he spent $11,350 in direct efforts to acquire the rifle and the .38-caliber pistol used by Oswald to kill Dallas policeman J. D. Tippitt on Nov. 22, 1963. Ten thousand dollars of the $11,350 went to Mrs. Porter, King had said.

King had demanded $2 million from the government for the rifle and pistol. The jury awarded him $350 for the pistol.

(Indicate page, name of newspaper, city and state.)

1D "The Dallas Morning News" Dallas, Texas

Date: 7-9-70
Edition:
Author:
Editor: Jack B. Kruger
Title:

Character:
or
Classification:
Submitting Office: Dallas

☐ Being Investigated

ENCLOSURE

947

FD-350 (Rev. 7-16-63)

(Mount Clipping in Space Below)

Vows authoress

'JOHNSON KNEW OF JFK PLOT'

By ART RHODES
STAR Managing Editor

Ex-President Lyndon Johnson "knew all about" the planned assassinations of John and Robert Kennedy and Martin Luther King, a Miami investment broker who insists she spoke to the "plotters and killers" told the STAR today in an exclusive outpouring.

Six men — four gunmen — shot President Kennedy to death in Dallas — and none of them was Lee Harvey Oswald, Kennedy's generally accepted assassin, charged Miami's Annie Patterson, plump, perceiving, plucky part-time investigator. Nor did they include, she added, James Earl Ray who, she said, did not kill King, or Sirhan Sirhan, seized as Bobby Kennedy's assassin.

Fourth assassination is that of a government agent in a Texas cotton patch. Miss Patterson linked that to the scandal that engulfed Texas oilman Billy Sol Estes, cited it for its intermeshing implications.

Exclusive

The killers were convinced, Mrs. Patterson related in the STAR's offices, they were shooting to prevent a Pentagon-backed Kennedy takeover of this nation "but the dictatorship plot was mixed up with political considerations. That's what they didn't know."

Then: "While I'm against "spiritual killings, these killings were necessary on the human side," Miss Patterson said, calmly, thoughtfully. "Old Joe Kennedy was willing to put up the money for an unheard of coup."

ENCLOSURE

(Indicate page, name of newspaper, city and state.)

3

MIAMI STAR

Miami (Beach), Fla.

Being followed

Date: 6/26/70
Edition:
Author:
Editor:
Title:
RE: JFK ASSASSINATION
[MM 105 - 8342]
Character:
or
Classification:
Submitting Office: Miami

☐ Being Investigated

Miss Patterson went on: "I can — from all reliable reports and personal contacts — vouch for everything I say — and I even have documentary evidence. What I'm saying is going to shock this country, and I'm not worried about Lyndon Johnson doing anything to hurt me. I saved his family from being kidnaped."

Annie Patterson is telling all in her book, "I Love You, U.S.A.: 4 Assassinations," now being readied for mid-July publication at $15 apiece by a secret Florida printing house. She calls her Lincoln Road firm "Patna Publishers."

Citing what she terms "information" partly gained in a Mexican prison into which she had been dumped for "knowing too much," Miss Patterson went on to weave a ghastly, spectacular account, said she includes names in her book of "men responsible for all this bloodshed."

Miss Patterson said she actually intends "to offer part of what should be a big income from my book for the killers' defense fund.

.."I've already told that to one of them face to face — the one who was in the book depository building, not Oswald," she added. "So they know about my activities. That's why I don't think they'll want to kill me."

The killers of the Kennedys and King are middle-class businessmen and you wouldn't identify them as the killer type any more than you would Ku Klux Klansmen out of uniform," Miss Patterson said.

Then there was the other type, she pointed out, personified by night club owner Jack Ruby whose assassination of Oswald electrified the nation on live television.

"Oswald," she claimed, "was Ruby's illegitimate son. Ruby was tied in with the plotters. He had reasons for stilling Oswald forever. His story he did it because he couldn't stand for what was happening to the nation and Jackie Kennedy was ridiculous."

The killers and their associates in Dallas, Miss Patterson insisted, "included what I am told was an FBI man who drove John Kennedy's death car."

The gunmen fled in a nearby truck, transferred to other cars, raced from city to city until they reached Juarez, Mexico, according to the authoress.

Why haven't they been seized to date and why has Miss Patterson waited years to tell all? "The FBI has my story, and my book will tell the rest."





Fact? Fantasy? Furor?

Miami authoress Annie Patterson (above — right) blames ex-President Lyndon Johnson in hideous John Kennedy killing in her tempestuously incriminating book, "I Love You, U.S.A.: 4 Assassinations," due off Florida printing press any time now. Miss Patterson, nation-wide investment broker, peers at one of flaming documents offered exclusively to STAR in its offices (Page 3), insists six gunmen shot at president in Dallas. She ridicules plea of Jack Ruby, late Texan who gunned down alleged JFK killer Lee Harvey Oswald, scoffs at story he shot out of fury for Jackie Kennedy (above with husband at Miami Orange Bowl).—STARphotos.

July 15, 1970

EX 106
REC-10

[redacted] - 10700 - 602

Miss Judith L. Phillips
Apartment 4
4273 Verdugo Road
Los Angeles, California 90065

Dear Miss Phillips:

Your letter, with enclosure, was received July 13th and I appreciate the high regard which you expressed for my administration of this Bureau.

In response to your comments, I regret I am unable to be of assistance to you. As a strictly investigative agency of the Federal Government, the FBI has no authority to comment on the constitutionality of any action. Such a decision is the prerogative of the courts.

Sincerely yours,

J. Edgar Hoover

NOTE: Correspondent is not identifiable in Bufiles. The enclosure was a stamped, self-addressed envelope which was utilized for this reply.

3

JBT:mls (3)

Tolson
DeLoach
Walters
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Bishop
Casper
Callahan
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Felt
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Sullivan
Tavel
Soyars
Tele. Room
Holmes
Gandy

MAILED 9
JUL 15 1970
COMM-FBI

JUL 20 1970
MAIL ROOM ☒ TELETYPE UNIT ☐

FBI

TRUE COPY

J. Edgar Hoover, Director
Federal Bureau of Investigation
Washington, D. C.

1st Class
Mail

Dear Mr. Hoover:

As a private citizen, I seriously and conscientiously am concerned about the Constitutionality of Pres. Johnson's sealing of all records pertaining to the assassination of Pres. John F. Kennedy in 1963 in Texas.

I have utmost respect for the F. B. I. and always have had. When an action such as this is taken, in my own America which I dearly love. . . . I remember F. D. R. 's statement that we have nothing to fear but fear itself. My father taught me to respect law and order and to be wary but not fearful.

What is the answer to a "rumor" (i.e., lie) - - ?

Sincerely,

Miss Judith L. Phillips
4273 Verdugo Rd #4
Los Angeles CA 90065

EX 106

REC-10 62-107060-695

JUL 16 1970

TRUE COPY

1-4-15

J. Edgar Hoover, Director
Federal Bureau of Investigation
Washington, D.C.

1st Class Mail

Dear Mr. Hoover:

As a private citizen, I seriously and conscientiously am concerned about the Constitutionality of Pres. Johnson's sealing of all records pertaining to the assassination of Pres. John F. Kennedy in 1963 in Texas.

I have utmost respect for the F. B. I. and always have had. When an action such as this is taken in my own America which I dearly love .... I remember F. D. R.'s statement that we have nothing to fear but fear itself. My father taught me to respect law and order and to be wary but not fearful.

What is the answer to a "rumor" (i.e., lie) — ?

CORRESPONDENCE

Sincerely,
Miss Judith L. Phillips
4273 Verdugo Rd #4
LA CA 90065

ack rec'd 1-5-15

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA FPMR (41 CFR) 101-11.6

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI (62-109060)

DATE: 7/23/70

FROM: SAC, WFO (89-75)

SUBJECT: ASSASSINATION OF PRESIDENT
JOHN F. KENNEDY,
NOVEMBER 22, 1963,
DALLAS, TEXAS
MISCELLANEOUS INFORMATION
(OO:DL)

At 3:15 p.m., on 7/17/70, a man who refused to identify himself telephonically contacted this office and advised SA MELVIN L. MONTGOMERY that he had recently stopped at a service station just off the super highway running through the Shenandoah Valley. He could not recall the exit nor the identity of the station.

While he was at the station, a woman, who identified herself as HENRIETTA HELMS, struck up a conversation with him and in the course of the conversation, advised that she had previously been employed in the American Red Cross building in Washington, D. C. She claimed that at the time that OSWALD had returned from Russia, he had come into the Red Cross office for some type of assistance and at that time commented to her that he intended to kill President KENNEDY. She further claimed that she had furnished this information to a Mr. WHEELER, apparently a superior at the Red Cross who had "done nothing about it."

Caller said that HELMS is supposed to be residing at the Rural Retirement Hotel which is located in the Shenandoah Valley someplace south of Winchester, the town unrecalled. He said that HELMS claimed to have been previously contacted by the FBI, apparently in this connection.

(2) Bureau
1- Dallas (89-43)(Info)
1- Richmond (Info)
1- WFO
JMG:kyu
(5)

REC 18

5 JUL 23 1970

JUL 30 1970

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

Caller indicated he was furnishing the information for whatever value it may have.

WFO indices negative re HELMS.

No further action being taken in this matter by WFO.

293 Commercial St.,
North Sydney, N.S.,
July 16, 1970.

Dear Sir,

After President Johnson ordered the FBI to investigate the assassination of President Kennedy, did they find any new facts. Such facts as the motive, was he assassin alone, etc.

Also is the case closed or still under investigation.

Yours truly,
Eric Werg

TRUE COPY

293 Commercial St.
North Sydney, N. S.,
July 16, 1970.

Dear Sir,

When President Johnson ordered the FBI to investigate the assassination of President Kennedy, did they find any new facts. Such facts as the motive, was the assasin alone, etc.

Also is the case closed or still under investigation.

Yours truly,

/s/ Eric Wong

Federal Bureau of Investigation,
United States Department of
Justice,
Washington, D.C.
20535,
U.S.A.

REC-10 - 6152

JUL 23 1970

TRUE COPY

REC-10 62-109060-6752

July 22, 1970

Mr. Eric Wong
293 Commercial Street
North Sydney, Nova Scotia, Canada

Dear Mr. Wong:

Your letter of July 16th has been received.

At the request of President Johnson, the FBI conducted an investigation concerning the assassination of President Kennedy and furnished the results to appropriate authorities. Not one shred of evidence has been developed to link any other person in a conspiracy with Lee Harvey Oswald to assassinate President Kennedy, and all available evidence and facts point to one conclusion--that Oswald acted alone in his crime. This case is not under Federal investigation at this time and, since the FBI has no authority to independently release any information in its reports, I am unable to be of help to you.

Sincerely yours,

J. Edgar Hoover

John Edgar Hoover
Director

MAILED 9
JUL 22 1970
COMM-FBI

NOTE: One prior letter was received on 9/22/69 from Wong, at which time he submitted the suggestion that all policemen travel in squad cars with bullet-proof glass. Bulet 9/24/69 thanked him for making his views known. (64-175-243-1005)

DCL:ajh (3)

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Holmes
Gandy

MAIL ROOM ☐ TELETYPE UNIT ☐

REC-3 [illegible] 6953

July 22, 1970

Mr. Gary Fisher
1104 C Avenue East
Oskaloosa, Iowa 52577

Dear Mr. Fisher:

In reply to your telegram of July 19th, all of the material developed by this Bureau during the investigation of the assassination of President Kennedy was turned over to the Warren Commission for its consideration, and the results of our inquiry were subsequently made available to the National Archives by the Warren Commission. You may wish to communicate with the Archivist, National Archives and Records Service, Eighth Street and Pennsylvania Avenue, N. W., Washington, D. C. 20408, regarding any data which may be available for public review.

MAILED [illegible]
COMM-FBI

Sincerely yours,

J. Edgar Hoover

John Edgar Hoover
Director

NOTE: Bufiles reveal prior correspondence with Fisher, last outgoing dated 11/18/64. In the past he has asked for and received Bureau publications on communism and Bufiles contain no derogatory information concerning him.

LEE:bam (3)

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Gandy

66 JUL 30 1970

MAIL ROOM ☐ TELETYPE UNIT ☐

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

JUL 19 1970

WESTERN UNION

BIA004 455A EDT JUL 19 70 (44)CTB013 MA034

M LLN008 EY PD ADM DES MOINES IOWA 19 138A CDT

J EDGAR HOOVER

CARE FEDERAL BUREAU INVESTIGATION WASHDC

I WOULD LIKE ALL PERTINENT INFORMATION AS TO WHEN AND WHY LEE HARVEY OSWALD LEFT SOVIET UNION AND IF IT WAS PROVED OF HIS MEMBERSHIP IN THE COMMUNIST PARTY OF THE U S A PLEASE ADVISE IMMEDIATELY

GARY FISHER 1104 C AVE EAST, OSKALOOSA IOWA.

(326)

REC-3 6953

16 JUL 24 1970

FD-36 (Rev. 5-22-64)

FBI

Date: 7/21/70

Transmit the following in _____
(Type in plaintext or code)

Via AIRTEL _____
(Priority)

TO: DIRECTOR, FBI (62-109060)

FROM: SAC, NEWARK (62-3060) (RUC)

SUBJECT: ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY,
11/22/63, DALLAS, TEXAS
(OO: DALLAS)

Enclosed for the Bureau are an original and five copies of an LHM, regarding the captioned matter, suitable for dissemination. Enclosed for Dallas and Philadelphia is one copy each of the LHM for information purposes.

Information furnished by MICHAEL SMITH was furnished to SA JOE R. GINGERICH, on 7/21/70.

No further action being taken by the Newark Division, UACB.

10 ENCLOSURE

REC-87 62-109060-6454

EX 105

15 JUL 23 1970

2-Bureau (Encl. 6)
1-Dallas (Encl. 1) (Info.)
1-Philadelphia (Encl. 1) (Info.)
1-Newark
JRG/mab
(5)

51 AUG 4

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to File No.

Newark, New Jersey
July 21, 1970

ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY
NOVEMBER 22, 1963,
DALLAS, TEXAS

Michael Smith, 400 Westmont Avenue, Haddonfield, New Jersey, on July 21, 1970, furnished the following information:

Smith advised he recently received the following information possibly concerning the Kennedy assassination from his mother, Mrs. M. G. Smith, of the same address, who received the information from his aunt and uncle, Mr. and Mrs. Charles Duus, 612 Park Avenue, Collingswood, New Jersey. Mr. Duus has been employed as a salesman for Cann and Saul Company, Royersford, Pennsylvania, for a period of about 20 years.

An Executive Vice-President of Cann and Saul Company, identified only as Gabe, approximately 15 to 17 years ago, hired an unknown individual as a laborer to work in the factory of Cann and Saul Company at Royersford, Pennsylvania. This unknown individual was a refugee from a foreign country behind the Iron Curtain, having just entered the United States at the time he was hired. The unknown individual had, since coming to this country, returned to an unknown location in Europe to meet with his brother, every two years. The brother journeyed from behind the Iron Curtain to meet with the unknown individual in Europe.

Approximately one to two years ago, the unknown individual died. At the time of his death, the individual was earning $135 weekly at Cann and Saul Company. The wife of the unknown individual, who left an estate of $47,000, on going through the personal effects of the individual, found a used airplane ticket to and from Dallas, Texas, for the date of the assassination of Kennedy, along with maps and drawings of the area. Also located were diaries as well as letters to an individual in Venezuela, South America, all

of which were written in Slavic. The wife of the unknown individual will not allow the material to be interpreted except by a priest. Smith said he does not know the contents of the diaries and letters.

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

WDR:JGL:HHP:ks
78-73-131

JUL 17 1970

Mr. Tolson
Mr. DeLoach
Mr. Walters
Mr. Mohr
Mr. Bishop
Mr. Casper
Mr. Callahan
Mr. Conrad
Mr. Felt
Mr. Gale
Mr. Rosen
Mr. Sullivan
Mr. Tavel
Mr. Soyars
Tele. Room
Miss Holmes
Miss Gandy

CERTIFIED AIR MAIL - RETURN RECEIPT REQUESTED

Erich F. Klein, Jr., Esq.
Lyne, Klein & French
14th Floor, Adolphus Tower
Dallas, Texas 75202

Re: Claim of your client Marina Oswald Porter against the United States

Dear Mr. Klein:

We are in receipt of your letter of May 28, 1970 presenting the claim of your client, Marina Oswald Porter, in the alternative amounts of $55,000 and $60,000, arising out of the alleged loss or damage to the personal property of Lee Harvey Oswald while the property was in the possession and control of the Federal Bureau of Investigation.

Your letter indicates that the damage or loss giving rise to your client's claim occurred between November 22, 1963 and November 1, 1966. Since the claim was not presented until May 28, 1970, it would appear that the statute of limitations has expired. (28 U.S.C. 2401(b), as applicable prior to the amendment of July 18, 1966.)

In any event, provisions of the Federal Tort Claims Act (28 U.S.C. 2675(a)), provide for payment of claims arising out of the negligent or wrongful act or omission of an employee of the Government while acting within the scope of his employment. We have reviewed the facts relating to your client's claim and find no evidence of negligence, or wrongful act or omission on the part of any employees of the Government. We are therefore denying your client's claim.

If your client is dissatisfied with our determination, she may file suit in an appropriate United States District Court.

EX. PROC. JUL 20 1970

REC 85 62-109060-4966

5 5 AUG 11 1970

JUL 28 1970

not later than six months after the date of the mailing of this notice of final denial.

Yours very truly,

WILLIAM D. RUCKELSHAUS
Assistant Attorney General
Civil Division

By

John G. Laughlin
Chief, Torts Section

cc: Mr. J. Edgar Hoover
Director, Federal Bureau
of Investigation

DO-7

FROM

OFFICE OF DIRECTOR, FEDERAL BUREAU OF INVESTIGATION

TO

OFFICIAL INDICATED BELOW BY CHECK MARK

MR. TOLSON	( )
MR. SULLIVAN	( )
MR. MOHR	( )
MR. BISHOP	( )
MR. BRENNAN, C.D.	( )
MR. CALLAHAN	( )
MR. CASPER	( )
MR. CONRAD	( )
MR. FELT	( )
MR. GALE	( )
MR. ROSEN	( )
MR. TAVEL	( )
MR. WALTERS	( )
MR. SOYARS	( )
MISS HOLMES	( )
MISS GANDY	( )

SEE ME	( )
NOTE AND RETURN	( )
PREPARE REPLY	( )
SEND MEMO TO ATTORNEY GENERAL	( )
FOR YOUR RECOMMENDATION	( )
WHAT ARE THE FACTS?	( )
HOLD	( )

REMARKS:

NOT RECORDED
1 AUG 5 1970

ENCLOSURE ATTACHED

12-10

SOVIET SECTION

ASSASSINATION

(Continued from preceding page)

hit President Kennedy, one struck Governor John Connally of Texas and another slammed into curbstone on Main Street.

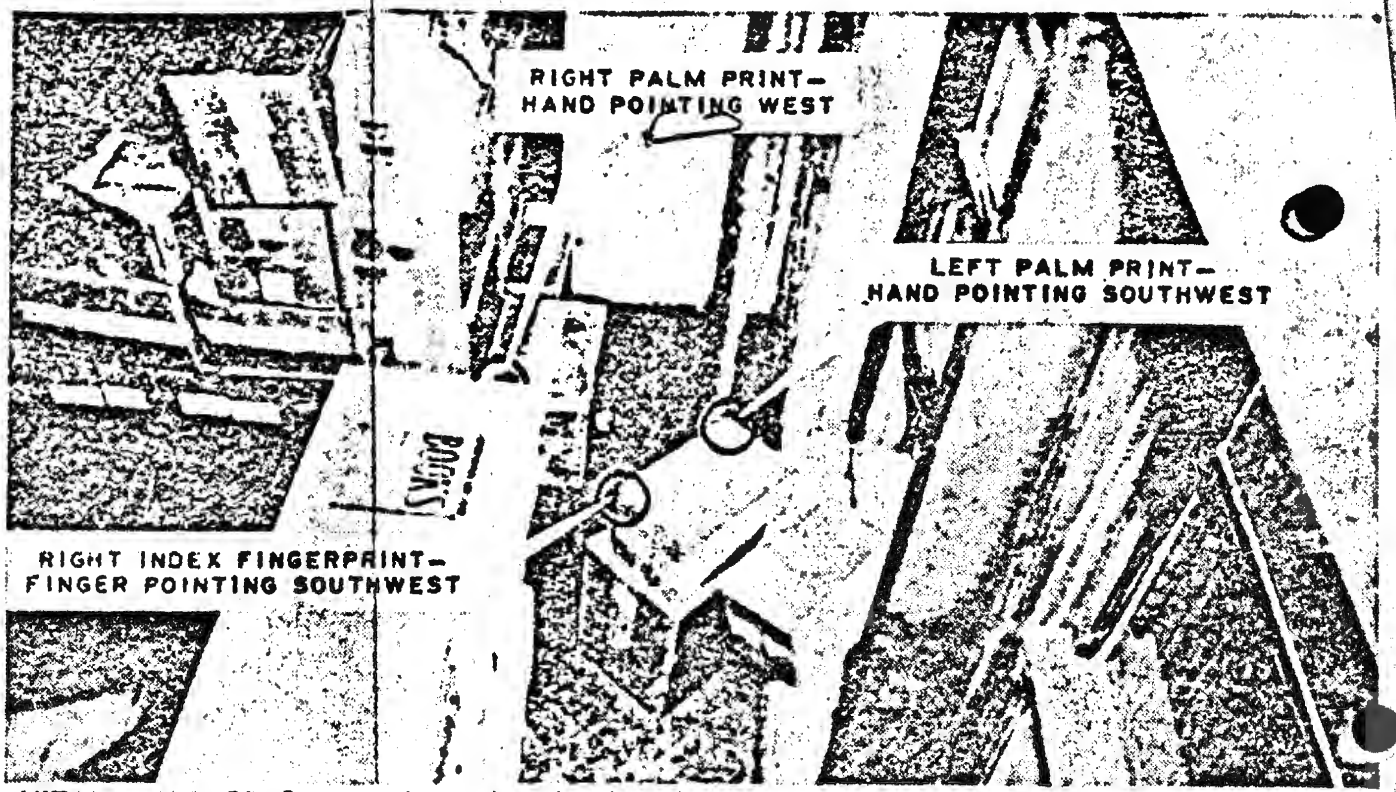
(2) The sixth and final shot — the one that virtually blew the President's head off and killed him — struck Kennedy from the front and the right, hurling his head backward and to the left in accordance with the laws of physics.

Still basing my conclusions on firm photographic evidence, I find that the shooting went like this:

- Shot One, fired from behind a fence on a grassy knoll on the north side of Elm Street at a point well ahead of the motorcade, struck Kennedy in the throat.
- Shot Two, fired from the second floor of the Dal Tex Building across Houston Street from the School Book Depository, hit the President in the back.
- Shot Three, fired from a sixth-floor window of the Book Depository — but not from the same window Oswald allegedly used — struck Gov. Connally in the back.
- Shot Four, fired from the Dal Tex Building, hit the curb on the south side of Main Street, 100 yards or so in front of the motorcade.
- Shot Five, fired from the Book Depository, struck Kennedy in the head.
- Shot Six, fired from the grassy knoll over the heads of the crowd in the plaza, hit Kennedy at near point-blank range at almost the same instant as Shot Five.

The man I believe was the "field commander" for the assassination team can be seen in a number of photos standing among the crowd on the north side of Elm Street.

Despite the fact that it was a bright, sunny afternoon with the temperature at a mild 68 degrees, the man is carrying a raincoat.



VITAL EVIDENCE: Sprague claims that the three boxes near the window of the storeroom, which Oswald supposedly used as a 'gun rest' were originally piled three high — far too tall to rest a gun on — and that someone later rearranged them so they were stacked only two high. (Photo is an official Warren Commission exhibit showing palm and fingerprints used to illustrate one phase of their investigation.)

tion photographs that I have since collected.

These and other glaring weaknesses in the commission's investigation lead me to conclude that — while they certainly did not participate in the conspiracy beforehand — many prominent officials helped cover it up afterward.

This involvement may well have touched some of the highest echelons in [illegible] exact [illegible]

for some of the officials who have made the CIA possible.

I strongly feel that only a full computerized analysis of the contents of the photographs I have seen can unfold the entire truth about that grim day.

By using the Zapruder and several other films as a time sequence guide-[illegible]

'Photographs don't lie. Neither do the computers. We may learn the truth yet.'

zine has access to a computer, which it has made available to me.

At the moment, we are working out a program to feed into the computer every piece of evidence we have obtained. It is impossible for any person to store all these facts in his head. The computer will be able to do so. Then I — or any person researching the Kennedy assassination — will be able to ask the computer: "Tell me about so-and-so," and will immediately get all the known facts.

That is the first step [illegible] computer.

In the first pictures where he shows up, this "umbrella man" is holding the umbrella closed. Then, just before the first shot, he is holding it open and low over his head. And finally, just before the last shot, he raises the umbrella — which is still open — about two feet higher.

Several moments after the rest of the crowd dispersed in the frantic wake of the tragedy, the "umbrella man" can still be seen standing in the same spot, his umbrella now folded again.

I think it highly likely that the man with the umbrella was the visual coordinator of the team's deadly mission and the man who had to make the final decision to "go."

Of all the strange things I have uncovered in the course of my four-year investigation, none to me is stranger than the action — or, more accurately, the inaction — of the Warren Commission.

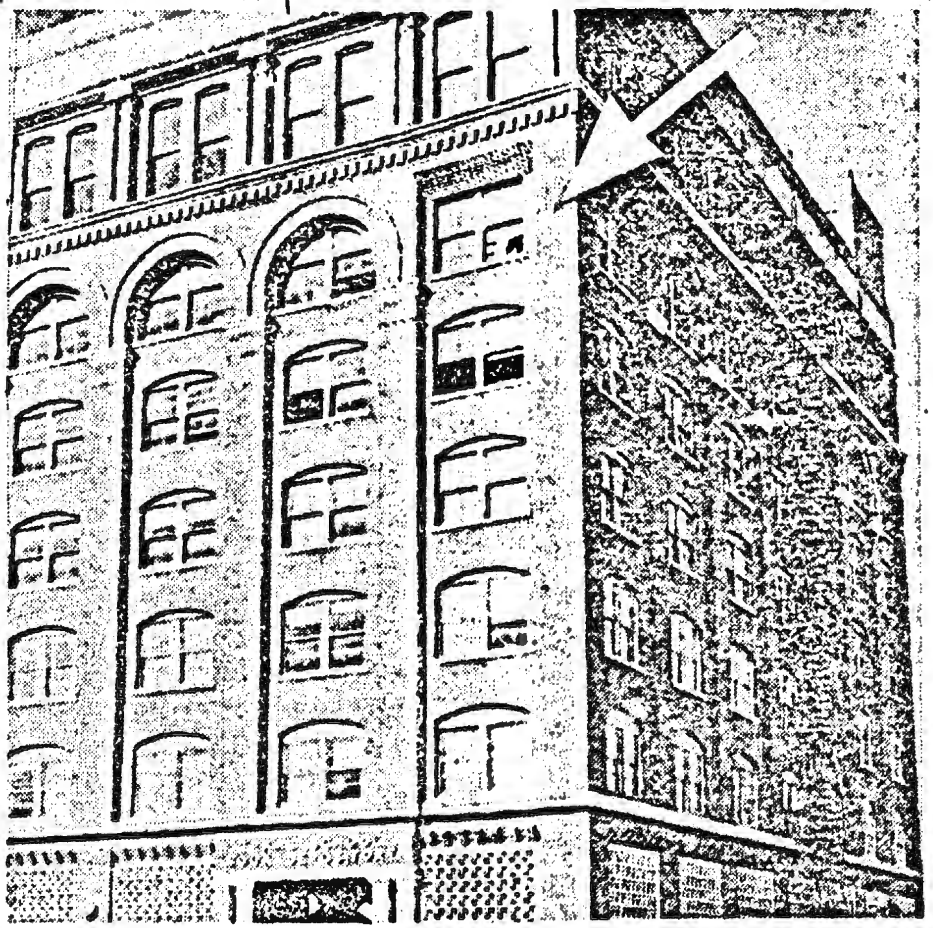
The commission ruled, for example, that only two shots hit JFK. Yet the commission did not even examine the autopsy X-rays and photographs — and the photos in fact were not developed until two years after Kennedy's death.

And the commission raised no questions at all over the fact that Commander J.J. Humes, chief surgeon at the autopsy, personally burned his preliminary notes in the fireplace of his home on Nov. 24, 1963.

For reasons that are far from obvious, the Warren investigators interviewed only a few of the 30 professional photographers who took pictures at the scene, even though 15 of them were in the motorcade itself, no farther than six car lengths from JFK's limousine.

And finally, the commission steadfastly ignored the violent backward motion of Kennedy's head as shown in the Zapruder film and other assassination photos, only an untainted congressional investigation could pin down.

I feel certain that once these high officials realized that the Central Intelligence Agency was involved with the conspirators and decided the truth could not be told to the American public, there would have been such an outcry that it would probably have meant the end of the CIA, . . . and the end



SHOOTING PLACE: Arrow points to sixth-floor window of the Texas School Book Depository from where, according to the Warren Commission, Oswald fired at JFK. Sprague says the shots were not fired from this window.

photos was made. Then, by pinpointing the exact location and camera angle of each picture, we can trace the movements of every person and object appearing in the photos.

Admittedly, this will take time, not to mention a great deal of more work and expense.

With the help of the magazine, "Computers and Automation", I have already started this work. The magazine has agreed to publish the results.

Each film frame, including what appears in them, who took them, when they were taken and from what angle. Testimony of witnesses will also be fed into the computer.

Once all this is done — and it will take a long time — it will be possible to ask the computer to analyze the information.

This will be done, for example, by programming the computer to answer questions like: "Do the photographs show that shots came from the grassy knoll in Dealey Plaza? And if so, do they show individuals who could have fired the shots, and where these individuals were afterward?"

It will sift through the information on angles, Kennedy's reaction, times, placing people, and give an answer, yes or no.

Another question could be: "Do the photographs show that witnesses did what they have claimed to have done?" That is, if someone shown in the photographs has said he stood in the same spot for 10 minutes after the shooting, or ran immediately away, the computer will be able to check through all the photos and see if he did so.

It will also be possible to say to the computer: "Car X is seen at a certain spot in a certain photo or film frame. Does it appear again in any of the other photos?" And given certain routes it could have taken to get there, which one did it take?"

By again checking all the information, including the time it would take by each route, the computer will be able to give a very accurate idea of how soon after the shooting the car left, which road it took, who in the photographs might have gotten into the car. In this way it will be possible to build up a very clear picture of the getaway sequence.

The computer analysis is the nation's only hope in clearing up the man-made mystery of what really happened in Dallas. Photographs don't lie. Neither do the computers. We may learn the truth yet.

REC- 61

After an Intensive 4-Year Investigation...

Top Authority on JFK Assassination Photos Says 4 Gunmen Murdered the President

3. APPROX 1972

By RICHARD E. SPRAGUE

President John F. Kennedy was killed by a savage crossfire of bullets, fired at his motorcade from four separate locations by four assassins.

And Lee Harvey Oswald was not even one of them. Oswald never fired a single shot that earth-shaking day.

Kennedy was struck four times in all — not twice, as the Warren Commission insisted. And the bullet that finally killed him came from a grassy knoll in front of the Presidential car — not from the Texas School Book Depository at the rear, where Oswald was supposedly firing alone.

Up to 50 conspirators plotted and carried out the precision, military-style maneuvers that culminated in JFK's tragic death on Nov. 22, 1963, on that crowded Dallas street.

Some were Dallas policemen. Some were agents of the U.S. Central Intelligence Agency. Some were Cuban exiles.

Later, in their heavy-handed attempts to erase, blot out or cover up vital evidence, some of the top leaders in American government became accessories after the fact to the most frightful crime of the century.

These, basically, are my conclusions, formulated after four years of painstaking study of hundreds of photographs and thousands of frames of movie film taken either at the moment of the ambush or in the frantic minutes that followed. I was aided by more than 100 people in my research work and collection of new evidence. Most of these were members of the Committee to Investigate Assassinations.

JFK's assassination was the most photographed murder in

Richard E. Sprague, 48, an engineer and computer specialist, heads his own company, Personal Data Services of Hartsdale, N.Y., and is an active member of a Washington-based organization known as the Committee to Investigate Assassinations.

He is also the country's top authority on photographs taken the day President Kennedy was shot in Dallas. He has spent four years studying photos and has also made three trips to Dallas to talk with assassination eyewitnesses and other researchers.

In the course of his investigation, Sprague has turned up dramatic new evidence indicating that dozens of conspirators were involved in a complicated plot to kill the President. He condemns the "lone assassin" verdict of the Warren Commission as a glaring falsehood.

Assisted by a trade magazine, "Computers and Automation," — which carried a 32-page feature on his probe — Sprague is now feeding details gleaned from all available assassination photos into a computer in hopes of learning still more about who the plotters were and how they carried out their vicious job. In this ENQUIRER exclusive he tells of the amazing discoveries he has made so far.

...Lee Harvey Oswald Was NOT One of the Assassins



communication and escap
Another four probably acted
backup teams.

I base this conclusion on t
photographic evidence, whic
also shows that shots we
fired at Kennedy from four di
ferent locations. I do not b
that people who wou

photographers have taken more than 800 photos and movie sequences of the movie film in the shooting. 000 frames. cluded some effort has ever

Yet no other correlate the great been made to ence contained in mass of evide Some of them these photographed, hidden away have been the FBI. Most of the or "lost" by the ignored. rest have been Commission, for

The Warren ined just 26 photo- instance, examine tire investigation. graphs in its hand, I have per-

On the other t more than 400 of these sonally looked n sequences, and I am photos and th they tell a far different convinced that one the Warren Com- story from the with. mission came e" sketch (above, far

The "crossCutler, a fellow member right) by Bob e to Investigate Assas- of the Commu atically illustrates what sinations, d ned. I believe that highlights why I want

The sketch ail in every photo ana- every single puter. lyzed by a com the time, content and

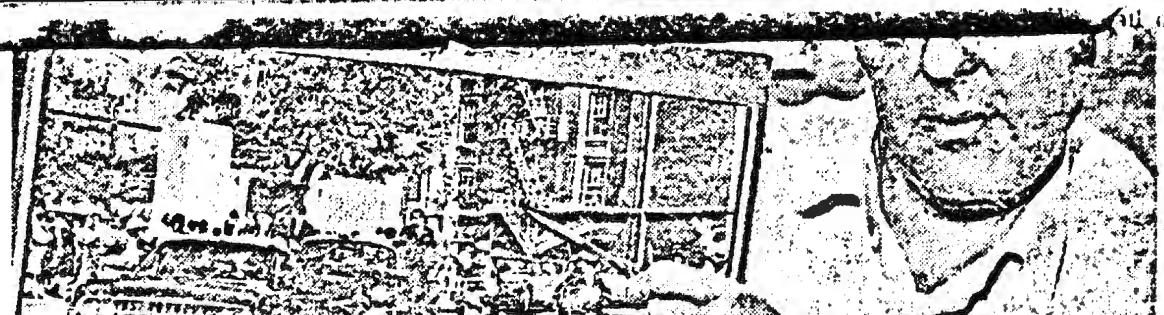
In this way, photo taken at Dealey location of correlated and compared to Plaza can be all the other way we may ever be

It is the ly that actually happened. able to prove in this is to solve a

Our purpose credit the Warren Com- crime, we must add that the evi- mission in claiming that the commis- dence it cites are totally false. sion's conclusion absolute photographic

I have already — Lee Harvey Os- proof that no else — fired any shots wald or anyone almost sixth-floor win- from the School Book Depository, dow of the allegedly crouched as a where Oswald "lone assa several photographs in cir-

There is a window in question. We culation a taken exactly 5.7 seconds know one was shot by relating the po- before the Presidential motorcade, sition a



COMPUTER SPECIALIST Richard Sprague points to second-floor window of Dal Tex Building, from where he believes one of the gunmen fired at JFK.

also shown in the photograph, to the timing sequence accurately obtained from other films and photographs.

Another was taken 3.5 seconds after the last shot — the photograph was made from a press car in the motorcade — and by plotting the car's position from other films, we worked out the exact time the photograph was taken.

In both photographs, the window is empty.

Thus, these two pictures alone destroy the Warren Commission's contention, based on the testimony of one confused witness, that Oswald leaned far out the window with his rifle to fire the fatal shots, and then slowly withdrew a rifle. If he did, he would have appeared in one of these photographs.

Photos also prove that someone tampered with the storeroom from which Oswald supposedly fired.

Three bullet casings found on the floor near the window and three boxes arranged so that they could be used as a "gun rest" were key pieces of evidence in the Warren Commission's decision that Oswald was the killer.

But the original setting up of the bullet casings was too obviously faked. A deputy sheriff who arrived on the scene first saw the three casings, side by side, neatly pointing in the same direction, just inches apart. But by the time the official police photographer arrived, the casings had been scattered about on the storeroom floor.

Similarly, the position of the boxes on which Oswald is said to have steadied his gun was obviously changed. Originally, the boxes were stacked three high, as shown in several photos. They were far too tall to rest a gun on, so someone later rearranged them so that they were stacked only two high.

This was not done for several hours, however. Jack Beers, a Dallas Morning News photographer took pictures of the boxes at 4 p.m. — three and a half hours after the shooting — and they were still in their original position.

Sometime later, when the police photographer got around to taking the picture, the boxes had been rearranged.

This mass of photographic evidence totally disproves the Warren Commission's neat verdict about a "lone assassin." While Oswald was, most likely, one of the plotters, it was no solitary fanatic with a mail-order rifle who triggered the mayhem in Dealey Plaza.

From microscopic bits of evidence found in numerous photographs, as well as from interviews with eyewitnesses and Kennedy researchers, I have pieced together what I believe to be the true picture of the plot.

A crack team of about 12 persons was on the scene to carry out the assassination. There were four snipers, and each sniper almost certainly had someone to pick up the spent shells and aid in

execute such a plan woul leave anything to chance like leaving spent shells afte shooting Kennedy. No spen shells were found at these l cations.

Therefore, I believe eac sniper had an assistant wh had as a primary task the col lection of these spent shells Again, because the assassina tion was so well planned, I am sure there would be at leas two backup teams — each with two people — in case one o the other teams couldn't get in position.

They had a visual syste com munication, and very likely a radio sys tem as well. Those who acted as com municators signaled the firing on the motorcade with split-second timing. know one person who was at Dealey Plaza at the time of the shooting, Jim Hicks, claimed he was a radio communi cator, and although he has been official ly discredited, that doesn't mean he wasn't telling the truth.

The assassination teams also had driv



OPEN CAR leaves President John torcade with Texas Governor John

HARVEY OSWALD **'CROSSFIRE' SKETCH** was made after Sprague personally studied over 400 photos taken at the time of the assassination.

for getaway cars — photos show
s parked at various points around
ley Plaza. Minutes after the shoot-
at least two cars had driven off.
lieve they contained the assassina-
teams. Again, nothing was left to
nce — there were drivers waiting in
e cars for the various team mem-
s.

here also had to be a field command-
in or[illegible]nd Dealey Plaza directing
who[illegible]ration and making a last-
ond decision on whether or not to fire.
hind these actual assassins was a
work of conspirators who helped plan
finance the operation and then con-
ed the situation afterward.

believe that eight or 10 persons, not
ually present at Dealey Plaza that
, did the bulk of the planning. And
additional 30 persons were involved
the conspiracy in some respect, mak-
a total of up to 50 in all.

his is not just guesswork, although
iously these latter people do not ap-
r in the photographs. I know of meet-
ings between various people prior to the assassination — Mexico City was the scene of one such meeting. These meetings were to discuss killing President Kennedy. They involved people who had been overheard discussing the assassination of the President, people who were known to want him dead.

Although we don't have records of what they discussed at their meetings, the only common ground these people had was their dislike of the President. Their names constantly crop up in investigations of the killing.

Some of them were Cuban exiles, angered at the lack of anti-Castro action by the United States and the failure of the Bay of Pigs invasion. They had been trained by the Central Intelligence Agency to fight against Castro, and in their ranks were some people being paid by the CIA.

Without the help of some Dallas policemen, the assassination teams on Dealey Plaza could never have made the clean getaways that they did. In fact, I believe some members of the teams were arrested by Dallas policemen, and released away from the area as part of the plot.

Again, there is strong photographic evidence to support the idea that a group of four snipers carried out the assassination by spraying the Presidential limousine with bullets from all directions.

Of all the photographs taken in Dealey Plaza that fateful day, the color movie sequence of some 480 frames taken by Abraham Zapruder is the most important.

It clearly shows President Kennedy's head jerk backward from the impact of the fatal bullet — and this simple fact is enough to prove that that shot could not have come from the School Book Depository, or, indeed, from anywhere to the rear of the Presidential car.

To cause such a backward jerk, the bullet had to come from a point slightly in front of the car.

It is interesting to note that the Warren Commission, in an error it has since admitted, published the two crucial frames of the Zapruder film in reverse order, making it appear that Kennedy's head was slammed forward by the bullet's impact, rather than backward.

Undoubtedly, millions of readers of the commission's report have been confused by this reversal.

The film clearly shows that no sudden speedup by the car caused the violent backward snap of the President's head, as some have claimed. The speed of the car remains unchanged and Mrs. Kennedy's head does not move at all.

Unfortunately, no official attempt has yet been made to follow up or expand on the revelations of the Zapruder film by comparing it to the many other photographs made at the time.

When I studied the film and checked it against all the other photos showing the effects of the shots, I became convinced of two things:

(1) Six shots were fired, of which four

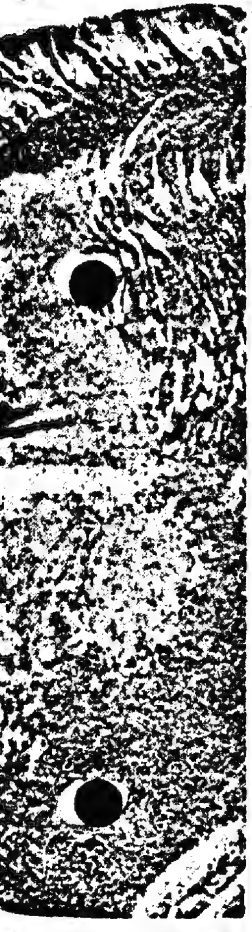
(Continued on next page)



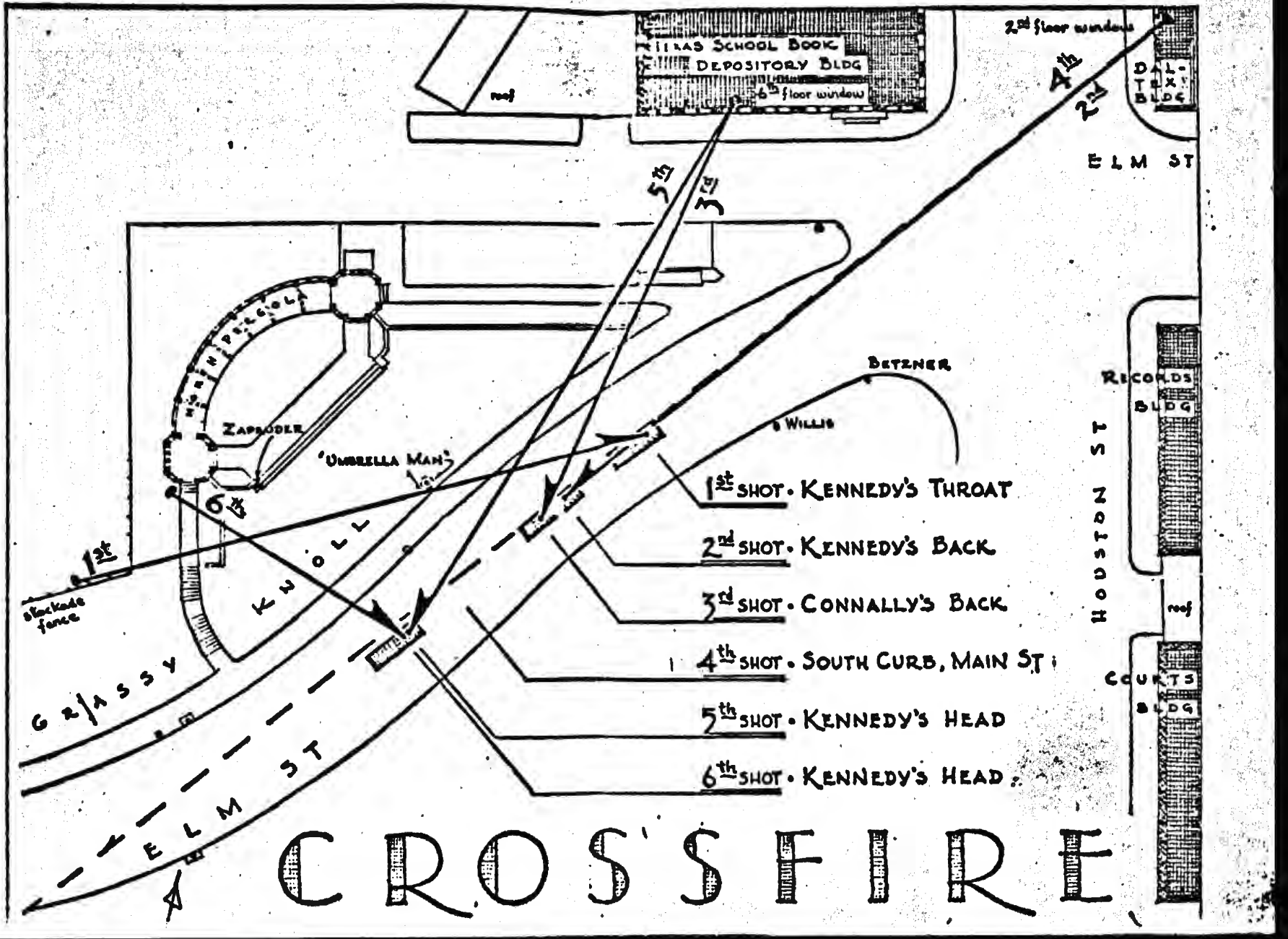
ennedy an open target to snipers as he rides in mo-
ally and Jackie (hidden behind Connally).



MINUTES AFTER photo at left was taken, JFK slumps into Jackie's arms (above) after assassin's bullets slammed into his head.






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ELM ST
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2nd SHOT · KENNEDY'S BACK
3rd SHOT · CONNALLY'S BACK
4th SHOT · SOUTH CURB, MAIN ST
5th SHOT · KENNEDY'S HEAD
6th SHOT · KENNEDY'S HEAD

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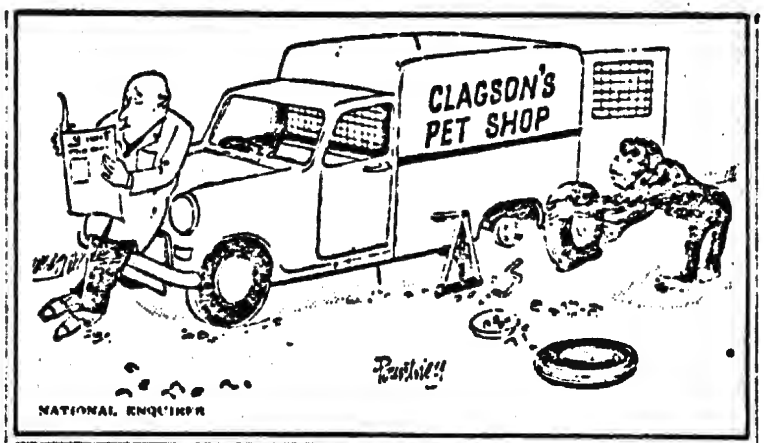
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(Scoring for answers to test on page 12)

1. (A — 10 points, B — 0 points). Under psychologically controlled testing conditions, most testees who were not wasteful disliked design A with comments such as: "It looks messy." Those who selected design A tended to be careless and wasteful. Testees who liked design B were usually conservative, well-organized personalities.

2. Yes — 10 points, No — 0 points; 3. Yes — 0, No — 10; 4. Yes — 0, No — 10; 5. Yes — 0, No — 10; 6. Yes — 10, No — 0; 7. Yes — 10, No — 0; 8. Yes — 10, No — 0; 9. Yes — 10, No — 0; 10. Yes — 0, No — 10; 11. Yes — 10, No — 0; 12. Yes — 0, No — 10; 13. Yes — 10, No — 0; 14. Yes — 10, No — 0.

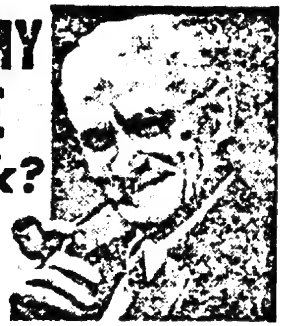
YOUR SCORE_____

100-140: Those who rate in this bracket tend to be careless of their possessions and their environment. They often complain that life owes them a living or that life is not kind to them.

50-90: This is a score of impulsive people who can be thrifty one day and carried away by desires the next.

0-40: In general, those who rate in this bracket are careful planners who do not waste time or money. They do not spoil their environment by tossing away things in a random manner.

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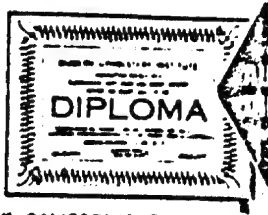
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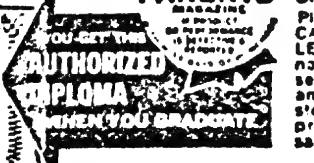
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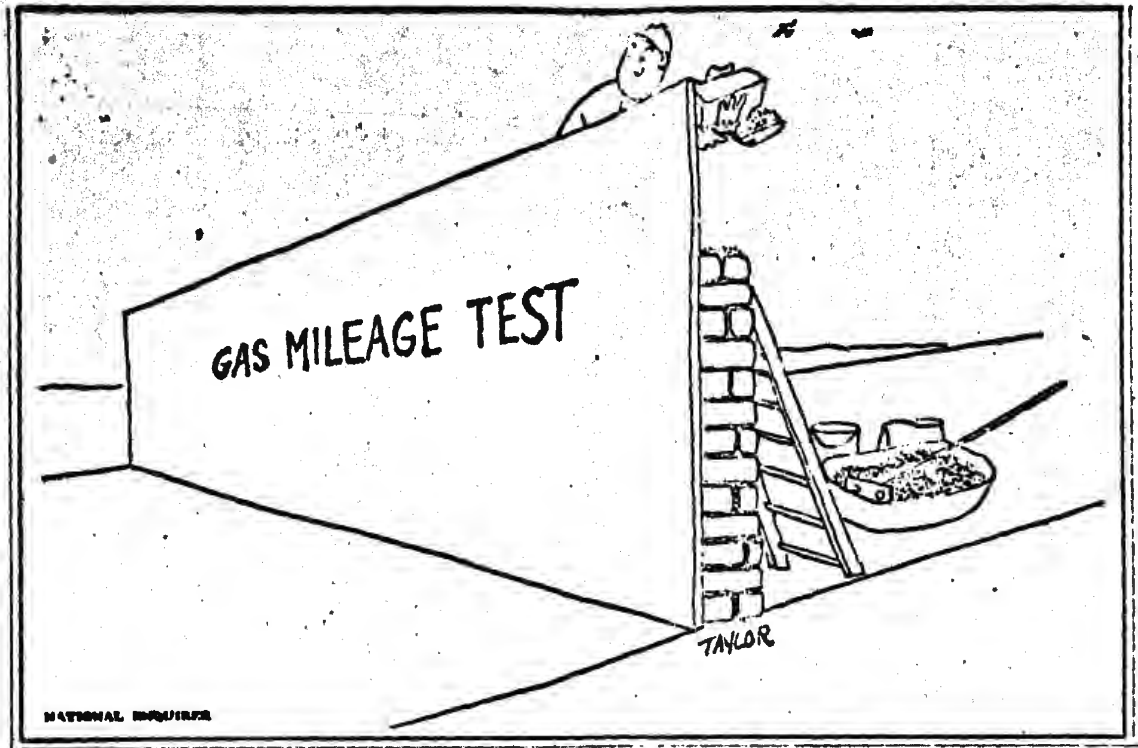
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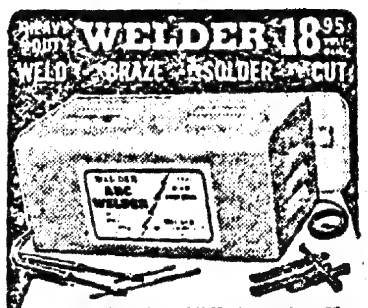
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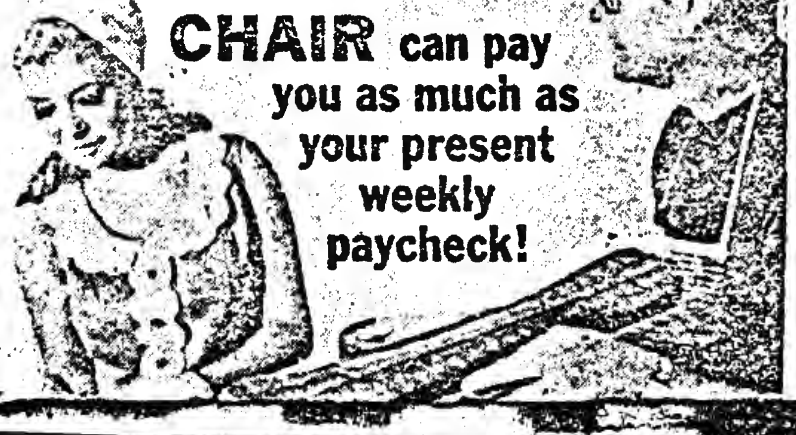


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suffering a nervous actress whose real name is breakdown all the time that Anna Maria Pierangeli, told of being obsessed by haunting fears.



BRIDE: Pier married singer Vic Damone in November 1954 and was divorced two years later.



SON Perry Damone (then 9) is kissed by mom, Pier, who had just gained custody of boy from ex-husband Vic Damone.

"I have sudden fits of terrible fear," she said. "I call the janitor on the house phone and beg him to come up and see if there is someone outside my door. I know there is someone there and that they will strangle me. I can feel it."

After her screen debut 20 years ago in the Italian film, "Tomorrow Is Too Late," Pier came to the U.S. where she made a series of hit films for M-G-M, including "Teresa," "The Story of Three Loves," "Flame and the Flesh," "Sombrero" and "Silver Chalice."

She said she still receives periodic offers from movie producers, but that she turns down every proposal.

"I can't face even the most common tasks," she said. "That is why I have buried myself behind these four walls. I don't belong to the world and the world doesn't belong to me.

"Often I remember to eat only when I get stomach cramps. I am only surviving. It would be better if I was already dead.

"I can't go on anymore. The world makes me sick.

"Everything is repulsive to me. I want

James Dean, the talented but ill-starred Hollywood rebel of the mid-1950s, was reportedly deeply in love with Pier at the time of his death in the twisted wreckage of his sports car.

Later, her marriage to Vic Damone ended in divorce after only two years.

And a second marriage, to Italian jazz musician Armando Trovajoli, met with the same unfortunate fate.

Pier was left with two sons — one by each marriage — but she rarely sees either of them. Perry, 14, is a cadet at an American military school. Her other son, Popino, 8, lives in England.

"He is a he-man, my Perry," she said fondly of her oldest. "He is the image of me. He is tender and sweet.

"He says to me, 'Mommy, you mustn't work again. You must sit in a wheelchair and I will take care of you.'"

Pier paused to shake her head.

"That would be marvelous," she said emotionally.

None of the long succession of men who have passed through her life seems to mean anything any longer.

She is interested only in her two sons.

"Men are all the same," she said.

"If only I could have my children with me all the time then I might be happy."

Even most of her family, which includes her famous actress sister, Marisa Pavan, appears to have given up on Pier. In Pier's opinion, at any rate.

"I have annoyed all the Pierangelis, I know," she said. "They have all been very pa-

neurotic she was and how she didn't take care of herself," said Antonio Frare, a resident

the other hand — as well as Pier herself — obviously disagree.

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Alone & Penniless at 38, Former Screen Beauty Pier Angeli Spends Her Time Wishing for Death.

By BILL SLOAN

Few Americans would believe that the forlorn figure in this exclusive photo (below, right) was ranked among the most beautiful women on the screen a few short years ago.

She was the great love of doomed screen idol James Dean, the wife of singer Vic Damone, the costar of such super-heroes as Paul Newman.

A decade ago, U.S. film audiences worshipped her as the lovely, dark-eyed actress, Pier Angeli.

But time has dealt harshly with both her beauty and her career.

Now frail and emaciated at 38, Pier was discovered recently by an Italian reporter, living alone and penniless in a Rome apartment.

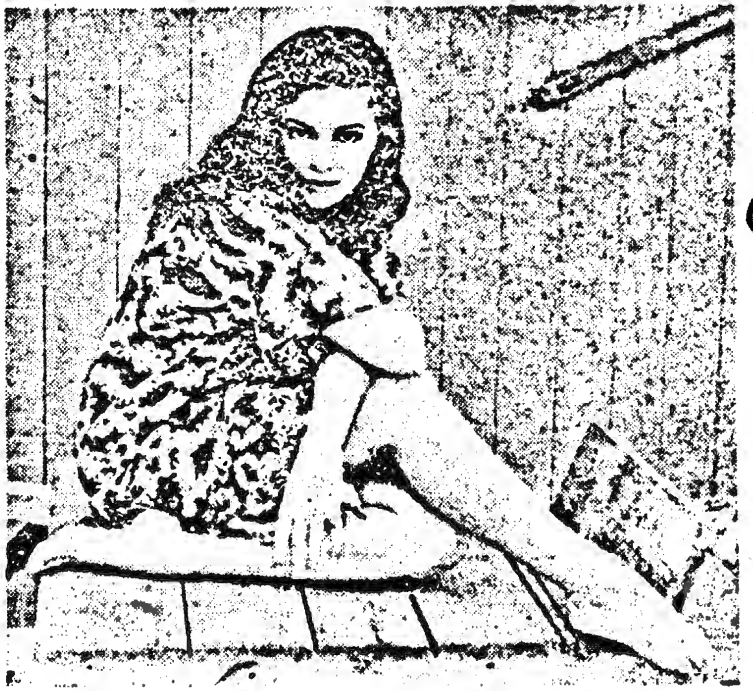
Hiding from a hostile world like a frightened rabbit, Pier spends her time wishing for death.

"I was not born to live," she said brokenly. "I only want to die."

Irrationally frightened by every sound, unable to accept any of the film offers that still trickle in, too forgetful even to remember when to eat, the once-lovely actress was a stunning shock to her neighbors before she moved from the apartment last May.



FORLORN: Frail and emaciated, her hair in curlers, Pier Angeli leans over railing to point to something below.



SCREEN BEAUTY: Pier Angeli, shown in 1962 photo, was one of the most beautiful women on the screen.

"She used to wake me up at 3 or 4 o'clock in the morning and ask for something to eat," said her next-door neighbor, Mrs. Maria Muscinelli.

"She had no furniture, except for a bed and some pictures she said she had painted. She was really in a bad way. She needed help, but not the kind [illegible] could give.

she lived in this building."

As Luigi Pavolini, the porter in Pier's apartment building recalled: "She hardly ever went out. Sometimes, no one would see her for days and then she would come down and ask for food. I know she drank alone until she was emaciated and in a terrible state."

Before she moved out, the

to die — and maybe soon I will die."

Many of her neighbors in the Rome apartment building were deeply concerned about Pier.

They wondered about what had caused her strange fear and disillusionment with life itself.

Her love life was one of the most commonly [illegible]

tient with me. Too patient even. What am I living for?"

Soon after the interview with Pier appeared in the widely read Italian magazine "Oggi" last May, the actress was taken from her Rome apartment by her mother and reportedly admitted to a Swiss clinic, possibly because of the magazine article.

In Rome, Pier's neighbors remain concerned.

of her old building.

At the moment, Pier is somewhere in Paris, according to her agent, Rita Darnesi.

But the agent would not say exactly where.

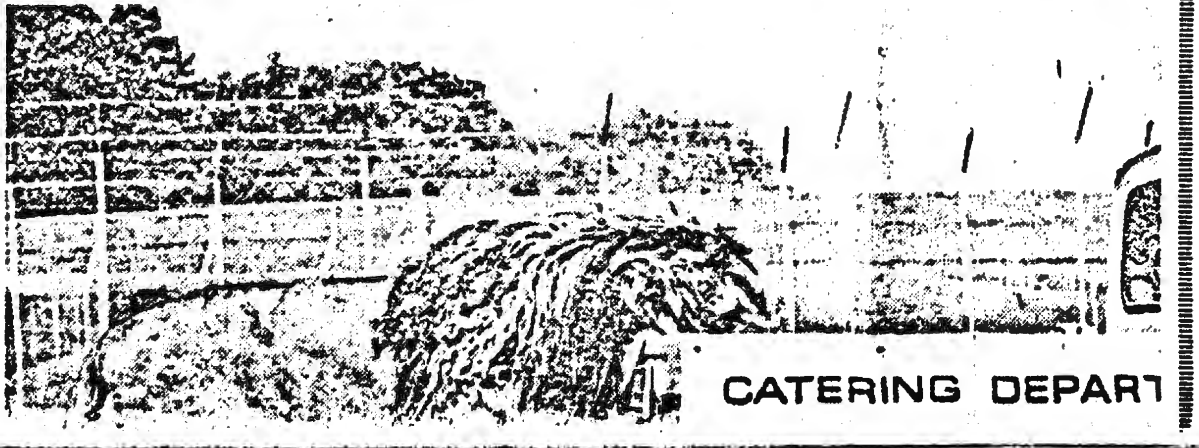
"She went to Paris after resting in a Swiss clinic. She needed to take it easy," the agent said.

"Her love life was unhappy, but I would certainly not describe her as desperate."

SELF-SERVICE LION STYLE



Hors d'oeuvre . . . The lion spots a meal on wheels in Windsor Safari Park Enaland.



Senator Fulbright Charges State Dept. Deceived Congress

By MICHAEL ADLER

Senator J. William Fulbright says the Department of State deceived Congress on a Honduras shipment of supplies to Vietnam refugees which was actually made on a U.S. Air Force plane — with Uncle Sam footing the flight bill.

Sen. Fulbright (D.-Ark.) said the Vietnamese flight doubled as a 34-day sight-seeing junket for Honduran officials and reporters. He said the cost of "this pilgrimage" has not been disclosed, adding "I think we can take judicial notice that it undoubtedly exceeded the cost of supplies delivered to the Vietnamese."

According to Fulbright, the Honduras Red Cross collected supplies for refugees and then borrowed the USAF plane which was repainted with Honduran Air Force colors.



SENATOR FULBRIGHT

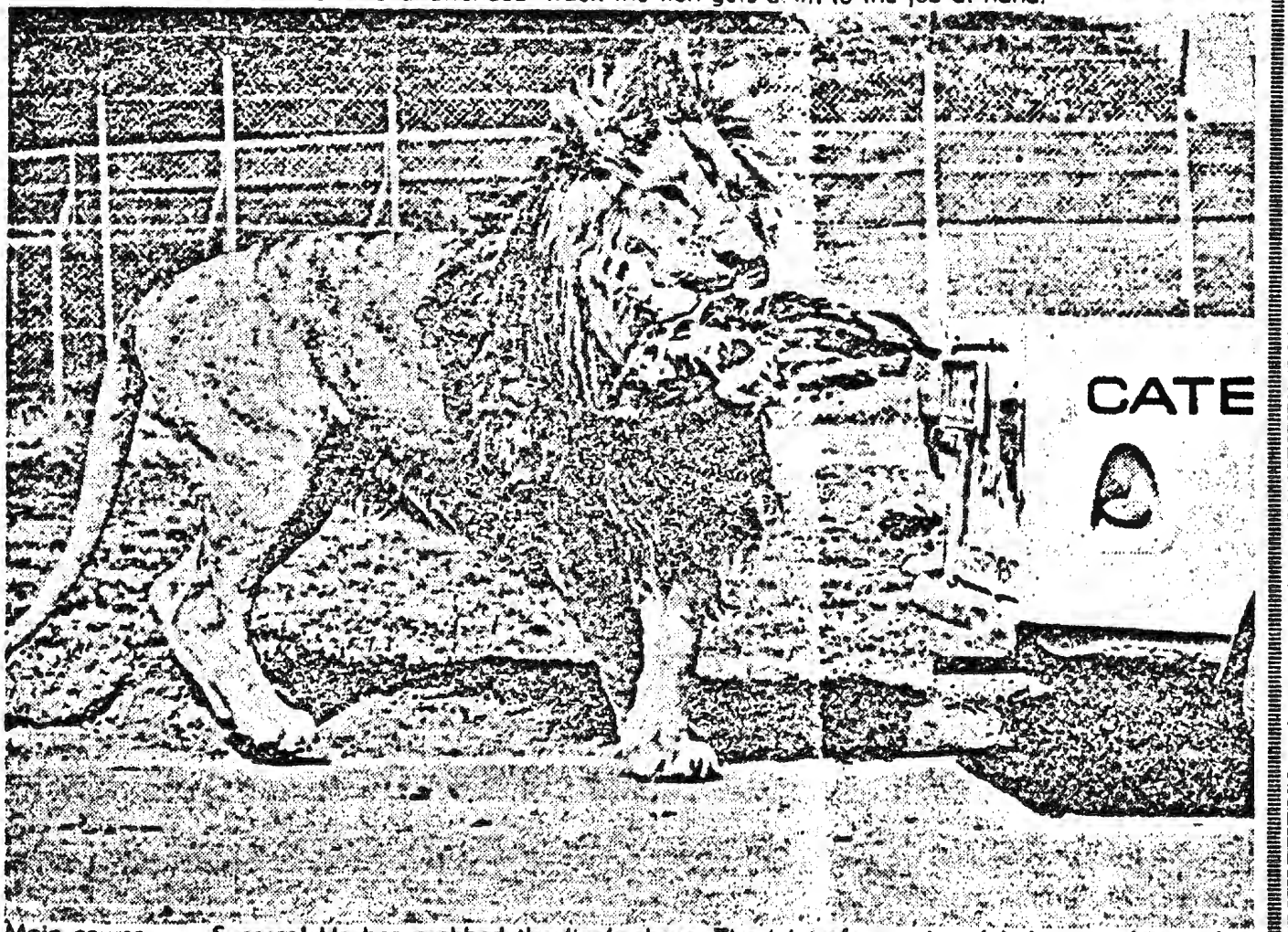
He said Congress was duped into thinking the trip was made at the expense of Honduras when it was, he said, "kind of a lark for the Hondurans.

"Disguising this trip as a Honduran venture was intended to deceive Congress and the American people," Fulbright, who is chairman of the Foreign Relations Committee, told The ENQUIRER.

"This is one of the most disgraceful incidents which has come to my attention in more than 25 years of public life." Sen. Fulbright said the "airborne wayward bus" took 13 days — from Jan. 31 to Feb. 12, 1967, to go from Honduras to Saigon, making stops in California, Hawaii, Wake Island, Guam and the Philippines. After a stop of five days in Vietnam, the



Entree . . . At the back of the unattended truck the lion gets down to the job at hand.



Main course . . . Success! He has grabbed the lion's share. The joint of meat is safely between his teeth.

"For reasons which do not appear on the record — but which I think we can all guess, it was found desirable to return via a different route — one which naturally included Hong Kong." Other stops were made in Taiwan, Japan, Midway, Hawaii, California, New Mexico and Texas.

The Senator explained that in 1967 he asked the State Department for information about Free World aid to Vietnam, which was encouraged by the Johnson administration. He said he was told that "Honduras has contributed drugs and goods for refugees, flown there on a Honduras Air Force plane."

In March 1970, he read a report by the General Accounting Office that said that "due to the limited range of Honduran Air Force cargo aircraft it was determined to use a USAF plane to transport the supp . . . the plane was repainted and, with a U.S. navigator, made the flight."

Fulbright wrote Secretary of State William Rogers about the discrepancy between what the State Department told Congress in 1967 and what the GAO reported in 1970.

In the letter, Sen. Fulbright told Rogers: "If the GAO report is correct, then the Congress was clearly misled by the State Department in 1967.

"Indeed, the whole operation smacks of a particularly offensive kind of fraud."

Although this information about the '67 flight was marked "classified," as affecting the national security, Sen. Fulbright informed Secretary Rogers, "The whole episode is so outrageous that I am forced to conclude the classification is simply to avoid embarrassment."

Fulbright told The ENQUIRER: "The State Department's 1967 statement was intended both to mislead Congress and give the impression that the Johnson administration's Vietnam policy had wide support."

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27
5010-106

UNITED STATES GOVERNMENT

Memorandum

1 - Mr. Conrad
1 - Mr. Williams, 7133

TO : Mr. Conrad

DATE: 8/19/70

FROM : M. E. Williams

Tolson
Sullivan
Mohr
Bishop
Brennan, C.D.
Callahan
Casper
Conrad
Felt
Gale
Rosen
Tavel
Walters
Soyars
Trie. Room
Holmes
Gandy

SUBJECT: HAROLD WEISBERG V. DEPARTMENT OF JUSTICE
USDC D. C., CIVIL ACTION NO. 2301-70

By memorandum of 8/13/70, copy attached, the Department has requested the Bureau to provide certain information relative to a civil suit brought by Harold Weisberg to force the Government to "produce and make available for copying the spectrographic analyses of the various bullets and fragments" involved in the assassination of President Kennedy.

Weisberg is the author of several books pertaining to the assassination including "Whitewash - The Report of the Warren Commission." His writings for the most part are vitriolic and diabolical criticisms of the Warren Commission, the FBI, the Secret Service, several other U. S. Government agencies, and the Dallas Police Department. His writings contain inaccuracies, falsehoods, and deliberate slanting of facts to suit his purpose.

There has been considerable past correspondence between Weisberg and the Department and the Department and the Bureau concerning the results of these spectrographic examinations. In each instance, Weisberg has been denied access to the detailed notes, work sheets, and photographic plates comprising the "raw data" upon which the conclusions of the Laboratory examiners were based. This civil suit is the latest in Weisberg's moves to obtain this material.

Enclosures (2) 8-21-70

62-109060

REC-79

AUG 31 1970

1 - Mr. Mohr
1 - Mr. Sullivan
1 - Mr. Rosen
1 - Mr. Casper (Attention: Mr. Dalbey)
1 - Mr. Bishop

EX-103

74 AUG 27 1970

MEW:mjk (8)

CONTINUED - OVER

AUG 31 1970

Memorandum to Mr. Conrad
RE: HAROLD WEISBERG
62-109060

As a matter of background information, spectrographic analyses of material such as bullet material permit a compositional comparison of the different samples and thus an indication as to whether such samples may have originated from the same or different bullets. Laboratory examiners furnished testimony before the Warren Commission that certain fragments were examined spectrographically and were similar in composition. The "raw data" (work sheets, notes, and photographic plates) upon which these conclusions were based are part of the Bureau's investigative files pertaining to this matter. These "raw data" are not normally made public since they can only be interpreted properly by scientifically trained personnel. Moreover opening the Bureau's investigative files would set a highly dangerous precedent and could cause irreparable damage. Paragraph 5 in the attached affidavit covering this aspect is included at the request of the Department.

In a somewhat similar suit "John Nichols v. United States of America, et al., USDC D. Kansas, Civil No. T-4536" filed 1/20/69 we answered the Department memorandum of 2/3/69 in a manner similar to the instant response. In that reply as in the attached memorandum we recommended to the Department that the release of the requested information be denied based on the exemption in the Public Information Law, 5 USC 552, subsection (b), paragraph 7, which specifically exempts investigative files compiled for law enforcement purposes. This case was subsequently withdrawn by the Plaintiff.

RECOMMENDATION:

1. That we recommend to the Department that the release of the information requested by Weisberg be opposed.

2. There is attached for approval a proposed memorandum enclosing the affidavit requested.

Form DJ-150
(Ed. 4-26-65)

UNITED STATES GOVERNMENT

DEPARTMENT OF JUSTICE

Memorandum

TO : Mr. J. Edgar Hoover
Director, Federal Bureau of Investigation

DATE: AUG 13 1970

WDR:JFAxelrad:bd
145-12-1449

FROM : William D. Ruckelshaus
Assistant Attorney General
Civil Division

SUBJECT: Harold Weisberg v. Department of Justice
USDC D.C., Civil Action No. 2301-70

Mr. Tolson
Mr. Sullivan
Mr. Mohr
Mr. Bishop
Mr. Brennan CD
Mr. Callahan
Mr. Casper
Mr. Conrad
Mr. Felt
Mr. Gale
Mr. Rosen
Mr. Tavel
Mr. Walters
Mr. Sovars
Tele. Room
Miss Holmes
Miss Gandy

A copy of the complaint recently filed in this action is enclosed.

In order that we may defend this action, please send us not later than September 1, 1970, a report, in duplicate, setting forth the facts involved. Because many courts are reluctant to grant extensions of time to answer, we request that this report be given your preferred attention. If you cannot send us the necessary material within that time, please let us know promptly so we can inform the court of the reason for the delay.

It will be helpful if you will state specifically which allegations of the complaint should, in your opinion, be admitted and which should be denied, and make suggestions for any affirmative allegations to be made in the answer.

Please include a list of the names, official positions, and addresses of persons who have personal knowledge of the facts involved and a brief summary of the matters about which they can testify on behalf of the Government.

Your report should also include information (and copies of relevant documents, if any) as to any defense set-off or counterclaim which you believe may be available.

In addition, please transmit with your response to this memorandum originals and six copies of an affidavit establishing the basis for defense of this litigation. The affidavit could be prepared along the lines of the affidavit executed by Special Agent Roy H. Jevins for use in litigation entitled John Nichols v. United States, USDC D Kan., Civil No. T-4536. In addition to the statements made in that affidavit, we suggest you include in the affidavit in the present litigation, a statement of how your law enforcement purposes would be hindered were the materials sought subject to public disclosure.

cc: United States Attorney
District of Columbia

ENCLOSURE ATTACHED

EX-109

22 AUG 14 1970

EXP. PROC.

AUG 14 1970

AUG 31 1970

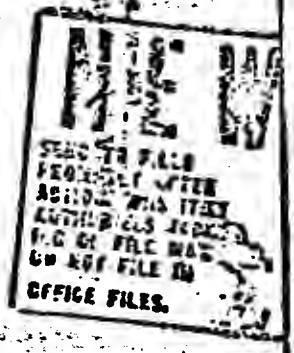
SUMMONS

Plaintiff

v.

U. S. DEPARTMENT OF JUSTICE

Defendant



To the above named Defendant :

You are hereby summoned and required to serve upon

BERNARD FLEISHERMALD, JR.

plaintiff's attorney , whose address

927 Fifteenth St., N.W.

Washington, D. C. 20005

an answer to the complaint which is herewith served upon you, within days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.

JAMES M. STEARNS

Clerk of Court.

Emily M. Stephens

Deputy Clerk.

[Seal of Court]

Date: August 3, 1970

Note:—This summons is issued pursuant to Rule 4 of the Federal Rules of Civil Procedure.

UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF COLUMBIA

HAROLD WEISBERG
Route 8
Frederick, Maryland

Plaintiff

V.

U.S. DEPARTMENT OF JUSTICE
10th & Constitution Ave., N.W.
Washington, D. C.

Defendant

2301-70

Civil Action No. _____

C O M P L A I N T

(Pursuant to Public Law 89-487; 5 U.S.C. 552)

1. Plaintiff brings this action under Public Law 89-487; 5 U.S.C. 552.

2. Plaintiff is a professional writer, living and working in Frederick County, near the city of Frederick, in the State of Maryland. Plaintiff has published a number of books dealing with political assassinations and currently is devoting his full time efforts to researching and writing additional books on this same subject.

3. Defendant is the U.S. Department of Justice.

4. Spectographic analysis is a common and simple method making possible the study of objects in even miniscule

quantities, so that their precise composition may be discovered and compared.

5. When bullets and fragments thereof are studied spectographically, it is possible to make a definite determination that all of the bullets and fragments came from one particular batch made by one particular manufacturer or they did not.

6. After the assassination of President John F. Kennedy in Dallas on November 22, 1963, the Federal Bureau of Investigation, a subordinate branch of the defendant Department of Justice spectographically analyzed and compared the following items:

a) the bullet found on the stretcher of either President Kennedy or Governor John Connally of Texas (Identified as Exhibit 399 of the President's Commission on the Assassination of President Kennedy, hereafter referred to as the Warren Commission);

b) bullet fragment from front seat cushion of the President's limousine;

c) bullet fragment from beside front seat;

d) metal fragments from the President's head;

e) metal fragment from the arm of Governor Connally;

f) three metal fragments recovered from rear floor board carpet of limousine;

g) metal scrapings from inside surface of windshield of limousine; and

h) metal scrapings from curb in Dealey Plaza which was struck by bullet or fragment.

7. The spectographic analyses were made by FBI Special Agent John F. Gallagher.

8. Even though Mr. Gallagher testified in deposition form before the Warren Commission, he was asked no questions about the spectographic analyses made of the bullets and metal fragments (Hearings Before The Warren Commission, Vol. XV, pp. 746-52).

9. The testimony re the said analyses was given by another FBI Special Agent, Robert A. Frazer. (Hearings Before the Warren Commission, Vol. V, pp. 58-74).

10. At page 74 of his testimony, Mr. Frazer said that the bullets and fragments listed in paragraph 6, supra, were "similar in metallic composition" but refused to say that they were identical.

11. It is not known whether the FBI turned over the spectographic analyses of the bullets and fragments or a copy thereof to the Warren Commission or not, although they were requested to do so by the Commission (Commission Report, p. XI).

12. However, if the analyses were turned over to the Warren Commission, the Commission in turn did not deposit them in the National Archives, although all of the rest of its materials were so deposited.

13. Plaintiff's first formal attempt to get permissi to see and/or copy the spectographic analyses was in a letter FBI Director J. Edgar Hoover, dated May 23, 1966. (See Exhibi A appended hereto.)

14. Plaintiff's request went unanswered.

15. During 1966, 1967, 1968, and 1969 Plaintiff made numerous requests, both orally and in writing, of the National Archives (which should have had a ccopy of the analyses, but ma tains that it does not) and the Department of Justice to exami and/or copy the analyses. (See Exhibit B appended hereto.)

16. On April 6, 1970, Plaintiff wrote to the Attorney General requesting his review of the denial by the Deputy Attor General of his request for access to various materials, includi the spectographic analyses. (See Exhibit C appended hereto.)

17. On May 16, 1970, in a letter addressed to Mr. Richard Kleindienst, Deputy Attorney General, Plaintiff renewed his request, accompanying it with a completed form DJ 118 ("Request for Access to Official Records Under 5 U.S.C. 552(a) and 28 CFR Part 16"), describing the records sought as follows:

> "Spectographic analysis of bullet, fragments of bullet and other objects, including garments and part of vehicle and curbstone said to have been struck by bullet and/or fragments during assassination of President Kennedy and wounding of Governor Connally. See my letter of 5/16/70.

(See Exhibit D appended hereto.)

18. On June 4, 1970, the Attorney General replied to Plaintiff's letter of April 6, 1970, denying him access to the spectographic analyses, stating that they were exempt from public disclosure under 5 U.S.C. 552 as a part of an "investigatory file compiled for law enforcement purposes." According to the Attorney General, they were exempt from compulsory disclosure under exception No. 7 of that Act. (See Exhibit E appended hereto.)

19. In a letter dated June 12, 1970, the Deputy Attorney General took an identical position, denying access under 5 U.S.C. 552 (b)(7). (See Exhibit F appended hereto.)

20. The request remaining denied after exhaustion of administrative procedures, Plaintiff files this complaint pursuant to Public Law 89-487, 5 U.S.C. 552, further alleging that, pursuant to this law, the records must be made available to him, and the Court shall determine the matter de novo, and the burden is on the Defendant to sustain its refusal.

WHEREFORE, Plaintiff prays this honorable Court for the following relief: that Defendant be ordered to produce and make available for copying the spectographic analyses of the various bullets and fragments listed in paragraph 17, supra, and such other relief as this Court may deem just and equitable.

BERNARD FENSTERWALD, JR.
927 Fifteenth St., N.W.
Washington, D.C. 20005
Tel. 347-3919
Attorney for Plaintiff

Dated: _____

[Exhibit A]

20734

May 23, 1966

Mr. J. Edgar Hoover, Director
Federal Bureau of Investigation
Washington, D.C.

Dear Mr. Hoover,

Enclosed is a copy of my book, HITLER'S WAR - THE REPORT ON THE ASSASSINATION. In it you will find quotations from your testimony and that of FBI Agents that I believe require immediate and unequivocal explanations and from the FBI's report to the Commission. Of the many things requiring explanation, I would like in particular to direct your attention to those three, in which it would seem no question of national security can be involved:

1) In your brief discussion of the assassination in the report to the Commission you say that three shots were fired, of which two hit the President and one the governor. This does not account for the bullet that hit the curbstone on Commerce Street, which you told the Commission you could not associate with the Presidential car or any of its occupants. In another part of this report, dealing with Oswald, told the Commission that the bullet that did not kill the President struck him in the back - not the neck - and did not go through his body. Here you seem to fail to account for the well-known wound in the front of the President's neck. And, thus, are there not at least five bullets, the three you accounted for and the two you did not account for. The Commission itself considered the curbstone strike a separate bullet, and the President most certainly was wounded in the front of the neck.

2) In his testimony before the Commission, FBI Agent Robert A. Frazier did not offer into evidence the spectrographic analysis of this bullet and that of the various bullet fragments. Neither did FBI Agent John F. Gallagher, the spectrographer. Agent Frazier's testimony is merely that the bullets were lead, which would seem to be considerable less information than spectrographic analysis could reveal. The custodian of this archive at the National Archives informs me this analysis is not included in his archive but is in the possession of the FBI. I call upon you to make it immediately available.

3) In his testimony before the Commission, FBI Agent Frazier said that when the whole bullet was received by the FBI, it had been wiped clean. He does not reveal any FBI interest in this unusual destruction of evidence. He also testified that the cleansing of the bullet was not complete, that foreign matter remains in the grooves in the bullet. Yet his testimony does not show any FBI interest in learning what the nature of the residue was. Did the FBI make the appropriate tests. Could the residue be associated with either the President's body or the governor's. What effort, if any, was made to learn. And if no effort was made, why not.

Sincerely yours,

Harold Weisberg

Exhibit 30

March 12, 1967

Honorable Ramsey Clark
The Attorney General
Department of Justice
Washington, D. C.

Sir:

You are seriously misinformed. In your today's appearance on "Face the Nation", you said it is the General Services Administration ths is withholding evidence in the Kennedy assassination. It is your own Department of Justice in most cases. In no case of which I kno is it the General Services Administration, which acts merely as custodian of the archive.

To make this simple and comprehensible to you, since May 23, 1966, I have been trying to see the spectrographic analysis of the bullet allegedly used in the assassination, the various fragments recovered from the bodies and the car, and of the windshield scrapings. Your Department of Justice, in my presence, misinformed the National Archives, insisting this document was public. When I established to the National Archives that this is not so, your Department became mute for more than four months.

The guidelines for withholding evidence are public. Not one of the restrictions apply in this case. No normal consideration of national security is involved, nor is there possibility of damage to innocent persons or risk of disclosure of confidential informants. This denial of access to what may not properly be restricted is in violation of your own order of October 31. It is being done by you own department in an exercise of raw power.

There are a number of similar cases I am prepared to document to yo

It is past time for the telling of truth. If, as you say, this is all you want with regard to the assassination, I call upon you to enforce your own order at this late date, to require your own department to stop violating it, and to make available to those of us accredited to research in this archive what you have been suppressi

Other items of evidence have been suppressed and then released in response to public pressure. I hope from now on, with your pledge of dedication to the truth alone, we may expect your department to obey your order, to act in consonance with your expressed wishes, and to release spontaneously what it has been suppressing.

Respectfully,

Harold Weisberg

January 1, 1969

Honorable Ramsey Clark
The Attorney General
Department of Justice
Washington, D. C.

Dear Mr. Clark:

While previous correspondence with you has been long than regarding
and, when answered at all, has been answered non-responsively, ther
Is this difference between my writing you and my writing J. Edgar
Hoover: He never answers anything, responsively or otherwise, havi
refused to send me even a press release he himself issued falsely a
touching me.

Because you are the Attorney General and because the matters of whi
I write are the responsibilities of the Democratic administration m
about to leave office, I again address you about the improper withh
ing that amounts to suppression of the evidence in the murder of Pr
dent Kennedy. One of the things I would like you to bear in mind is
your own executive order of October 31, 1966. In it, you directed t
"the entire body of evidence considered by" the Warren Commission "b
preserved intact". This means that everything considered by the Com
sion must be in the National Archives.

Among those things not in the National Archives are records under yo
personal control. This includes such items of evidence considered b
the Commission - in fact, basic to its conclusions - as the spectrog
analysis of the bullet and various fragments of bullet(s) said to ha
been used in the assassination. When, after promulgation of your or
I asked for this evidence at the National Archives, I was told it wa
there. In my presence the Federal Bureau of Investigation was phone
told the Archives it was, citing a file. I soon proved this file wa
of and did not include the spectrographic analysis. The FBI has sin
failed to supply it. Mr. Hoover just refused to answer my letter on
This most basic evidence is not covered by any of the guidelines, co
properly be considered to be covered by the subsequently enacted "Fr
of Information Act", I believe I am entitled to it, and I ask you fo

I ask you to recall that the FBI was the Commission's major investig
arm and the supplier of its technical and certain analytical service
What it "considered" in this work is "considered" for the Commission
In supplying what was identified as Commission Document 1485, it fai
to supply certain of the essential evidence. On the page numbered 1
this file, the concluding sentence reads, "The Identification Divisi
further advised that the two latent fingerprints developed are not i
tical with the fingerprints of LEE HARVEY OSWALD". The National Arc
informs me they have no record of whose fingerprints these were. As
ing as it is to a non-expert that a piece of paper preserved fingerpr
for so long a period of time, it is no less astounding to me that wh
the FBI allegedly was looking so diligently for any Oswald accomplice
and it did have evidence of such an accomplice, it did not give the C
mission the name or names of those whose fingerprints were found on
literature Oswald distributed in New Orleans. This information, whi

should have been available to the Commission, should have been an im
tant part of its deliberations, also should now be in the National A
chives. It seems to be immune to proper withholding. I ask you for
copy.

On a number of occasions, FBI agents, acting as the Commission's inv
tigators and for it, showed numerous witnesses various photographs.
of these are not in the National Archives, and usually it is impossi
to relate the pictures with the investigative reports, so it is not
sible to know which pictures were shown which witnesses. I ask that
have this defect remedied, that a complete file of pictures, each id
fied with the proper investigative reports, be sent to the National
chives and there made available in the usual manner.

I also ask that this include each and every one of the photographs ob
tained by the FBI and not given the Commission, not put in the Commis
files, not reported to the Commission and in the full, unedited form
larly be added to the "intact" evidence in the National Archives. I
this connection, I want to single out but three of the very large nu
of still and motion-picture photographs fitting this description and
which I desire copies. One is the first of two Polaroid pictures tak
Mrs. Mary Moorman, of Dallas, Texas. A second is the motion-picture
by the minor son of J. Pat Doyle, of Portland, Oregon. Another motio
picture is that taken by John Martin, of Minneapolis, Minnesota. Tha
latter two are 8mm. movies. My own evidence convinces me each was ob
Neither was given the Warren Commission, whose files do not even rev
the existence of that taken by Mr. Martin. Both show, or in the form
given to the FBI showed, Oswald's literature distribution in New Orle
leading to his arrest on August 9, 1963. This was the subject of an
tensive FBI investigation. I ask that what is deposited in the Natio
Archives include everything removed by the FBI before the film was re
turned to the owners, in the form of copies, if that does not exist
the originals, which were retained by the FBI.

I further ask that you cause to be deposited in the National Archives
those pertinent reports of interviews with witnesses that were withh
from the Commission and/or are not in its files. I have the statemen
of witnesses so interviewed, where there is no report in the National
Archives and where there is nonrecord in the files of the Commission
the existence of the reports.

I am aware that the Attorney General, like any busy executive, can be
the creature of those upon whom he depends for complete and dependabl
formation. I believe I know what has not been communicated to you.
Should you, while you are still Attorney General, want to rectify wh
an confident history will record as a record with which you may not b
content, I am willing to offer you any help I can. Should this infor
tion be made available by your successor or the coming administratio
it will be a considerable reflection upon you personally, the adminis
tion of which you are part, and the Democratic Party.

There remains unanswered correspondence between us. I would appreci
responsive reply as soon as possible.

Sincerely,

Harold Weisberg

cc: Fred Vinson, Jr.

June 8, 1969

Attorney General John Mitchell
Department of Justice
Washington, D.C.

Dear Mr. Mitchell,

After I twice wrote you begging three months ago, I got a non-responsive reply, for you, in the case of your Assistant Attorney General in charge of the Criminal Division, from the Chief of the General Crimes Section. Without my ever having gotten any kind of denial or meaningful excuse to my inquiry of your Department, under any classification, this one began with the bold statement "Any further pendency of correspondence between yourself and the Department of Justice on this matter will...serve no useful purpose."

At this point after five unanswered letters subsequent to my receipt of this assurance formed that you would have respected, before so cited I could for cause do that I am entitled to under the law is your obligation to enforce, it looks very much as if the Department of Justice is very afraid that correspondence would serve a useful purpose, a purpose of fact.

As I wrote earlier, I am informed that key executive and delegate to their under them that they cannot attend personally, as they must also depend upon others for the information themselves. This is to my distaste the responsibility of those in charge. The Attorney General still runs the Department of Justice. So is, I believe, your responsibility to see that the laws are observed, by you and by your Department, as it is to see that citizens making proper inquiries are proper response within a reasonable time.

When a citizen asks the Department of Justice for access to court records and cannot get an answer, things have passed a deplorable state in a country such as ours. I have made this request; you have not responded. Practically, this means you have refused me. I believe you cannot.

After you or your office referred my first two letters to Mr. Kelley I thereafter wrote him. Because he has not once responded, in any way, I again address you. I have two purposes. To the degree I can, I want to be certain that you know the situation, for the responsibility is yours, and, if necessary, I want to invoke the law that entitles me to that which I seek. I prefer not to have to resort to this, as I would hope you would, too.

I made specific requests for specific information in letters to your Department between March 20 and April 20. If I am refused this information, I respectfully request citation of the authority under which you refuse it. In each case I also ask that you provide me with the forms and instructions I will need to seek to obtain this information under the "Freedom of Information"

Leg. It is my intention to invoke the provisions of this law, if necessary. May I call to your attention that I have, in the past, acted the Commission for the sake of utilizing this law without ever having to go to court? I do not think this was the intent of Congress in enacting the law.

Among the records I have sought unsuccessfully is a complete set of records of the President Kennedy autopsy material, as set forth and described in earlier correspondence in your files. Especially I call to your attention the fact that this Commission is one of the working papers of the special panel created by your predecessor and by it was so instructed. I believe this material is from any executive authority to withhold it and herewith renew my request for it.

Under the previous circumstances, when I asked for access to the autopsy-photographic and X-ray material, I was told by Mr. Kinsen that a review was under way. I have since asked the results of this review and have no response. I renew the request, renew the request for this material, and would like the necessary instructions and forms for application under the circumstances that should I again be denied. May I, in this connection, call to your attention the growing impropriety and the inconsistency in the Government claiming in court, to a Judge, that it has not exhausted its administrative remedies while the same Government denies another access to its administrative remedies?

While I am willing to believe it, when I was informed that agents of the Federal Bureau of Investigation were coming to, I did call this request to your attention, believing, as I do, that there should be at least a pro forma denial of it. Aside from Mr. Kinsen's assurance "that such conduct would be in complete disregard of Departmental and Bureau policy" and his statement that a copy of my letter was sent "to the Director of the Bureau for his consideration" there have been nothing. When that Bureau promises to send us a copy of its press release and doesn't, and then that Director fails to respond to a written request for a press release, perhaps I should not be surprised at the absence of a for-the-record denial. However, I would prefer to think the Attorney General of the United States would not be content for his office to work here.

I have often requested a copy of the spectrographic analysis of the bullet and fragments of bullets alleged to have been used in the murder of President John Kennedy. My written requests to the Director has never been answered. I hereby renew this request, asking, if I am denied, for a statement of the reason or reasons and the instructions and forms for invocation of the Freedom of Information Law. With respect to the Warren Commission file identified as CD397:7, I make the same requests, as I do with CD1205.

Among those unanswered requests referred to above is the evidence presented in court in England. I would now like to broaden that to include that used in Memphis, directly and indirectly, in the case of James Earl Ray.

When I make requests of the National Archives, there now is a delay of not less than two months before there is any kind of response, when there is one. I believe this, in itself, clouds the purposes and integrity of the government. Your own Department does not respond at all. I do hope you will correct this, that you will agree that when a citizen and more, a writer, makes proper inquiry of the Government, response should be as prompt as possible.

Sincerely,
Harold Weisberg

[Exhibit]

April 6, 1970

Hon. John Mitchell
Attorney General
Department of Justice
Washington, D.C.

Dear Mr. Mitchell,

Under date of April 2, 1970, Mr. H. Richards Rolapp informed me I have the right to appeal the adverse decision of the Deputy Attorney General denying me certain identifiable and indentified directly to you.

This letter is intended as such an appeal. The materiel sought, generally described as the "raw materiel" of the reports of panels of experts convoked by your Department said to authenticate the autopsy of the late President Kennedy and to make an historical record, is completely described in earlier correspondence with your Department.

I want to take this occasion to renew my request for the spectrographic analyses of the bullet, fragments of bullet and other items said to have been struck by this bullet and fragments, my earlier requests having been ignored by your Department. The bullet in question is Warren Commission Exhibit No. 399. Samples for analysis were taken from the limousine, a curbstone, items of clothing, etc. The results have been published in summary form by the federal government and the Dallas police.

While I hope you will neither ignore nor deny this renewed request, earliest one dating back to May of 1966, for I believe it would be improper to do either, I do anticipate the possibility. In this event, I ask that the proper forms be sent me so I can apply under the so-called "Freedom of Information" law. If there are other administrative possibilities or prerequisites, I would like to be informed of them.

Sincerely,

Harold Weisberg

[Exhibit 30]

3/10/70

Mr. Richard Kleindienst
Deputy Attorney General
Department of Justice
Washington, D.C.

Dear Mr. Kleindienst,

Your Department has engaged in a systematic effort to vitiate the clear intent of Congress and the law on "Freedom of Information" to the point that inquiries properly made are ignored. Seeking of you what is my right and your obligation to respond to has been converted into a futility. Even so simple a request for forms you require for citizens to use the law is blatantly ignored. Moreover, when I asked for copies of your instructions two days ago at two different offices of your Department, not only was A not given any, but in the proper office they even declined to take my name and address so they could mail these instructions to me. I have, in the past, addressed a number of requests to the Attorney General. He has, on not one occasion, made response. I have asked of your office that when my requests were rejected, as I anticipated they would be, the record indicating this is automatic when not ignored, it be in the name of the Attorney General so that the organized mechanism for delaying me would not be put into play again. In every case, this has not been done. I have three times addressed appeals from decisions to the Attorney General only to have them also ignored. I regard this record as one in which your Department has effectively surrendered any rights to insist upon compliance with those rules you employ only to frustrate my proper requests and, in the event it becomes necessary, am prepared to test this in court.

I would prefer that this not become necessary, that you change your ways, start making response, eliminate the deception and falsehood from them-in short, recognize that Congress passes laws and Presidents sign them so that they will be obeyed, most of all by that Department in whom are the sanctity and integrity of the law is vested. Or, the Department from which we have been hearing so much about what it calls "law and order". Like charity, I suggest that should begin at home.

Herewith I enclose three completed DJ-118 forms, in each of these three cases my most recent requests have been made some time ago. In not one of them was there been response.

Two of them are conspicuously flagrant, and I single them out for explanation. My first request for the spectrographic analysis of the bullet, fragments of bullet and objects said to have been struck by either when the President was assassinated and Governor Connally injured is dated in May 1968. There has never been response to it or its subsequent repetition. I addressed a request for this same public, non-secret information to the Attorney General 40 days ago. My first request of your Department for those documents relating to the late William Ferrie of New Orleans was made under the previous administration, and my most recent, still unanswered, was addressed to your office two months ago.

Because the record does not encourage belief you will provide what I seek with recourse to the courts, I feel it would be unwise for me to disclose everything I can. But because I want voluntary compliance with the law and because despite your best contrary efforts, I do not want to have this result in embarrassment for you or the government, I do suggest some of them.

With regard to the spectrographic analysis, if you are not aware of it, not then having been in your present position, I think you should know that if it does not agree in the most minute detail with the interpretation put upon it by the Warren Commission, their Report is a fiction. It was, in ways I do not explain, "considered by" that Commission. These words are from the executive order of the Attorney General of October 31, 1966. Moreover, it was, to all practical purposes, made public and published in different form, repeatedly, by the Commission. Most recently, this was done by former Dallas Chief of Police Jesse Curry, in a book bearing his name. When I asked for it of the National Archives, in person, the day this executive order was reported in the press, in my presence a representative of your Department told the National Archives it had been transferred there pursuant to this order. When we checked the file we cited, we found it was but a paraphrase. To the best of my knowledge, there has been no response to the report made to him that this was not the analysis itself. This analysis involves no secret processes, no informants whose identities need be hidden, no defamations of the innocent, and does not in any way fall under the right to withhold embodied in any of the guidlines for withholding.

Your Department, through Mr. Vinson, told me the various documents relating to David Ferrie were being reviewed with the intent of seeing whether they would be made available. I never heard further from him. The National Archives told me it had no knowledge of any such review. Obviously, it is impossible for me to provide you with an identification of each and every such suppressed document, but to the degree I can, it is already in your files. In fairness to you, for I do not seek scandal but I do seek information I believe is properly mine, I want you to know that I have some of what is said to be withheld and it cannot possibly be withheld properly. As I have already explained, what might tend to reflect upon the innocent has already been made public, rather extensively by the men involved and by their attorney, in a book and its serialization. Ferrie himself is dead, was unmarried, and his sexual tastes are public knowledge in a variety of ways, including but not limited to public reporting of criminal charges against him for them and in his contesting of these charges and his subsequent loss of employment because of them.

With regard to the photograph identified as FBI Exhibit 60, requested in my letter of April 22, 1970, addressed to the Attorney General, I provide the information and request:

This is a picture of President Kennedy's shirt. The shirt itself is withheld from examination and study and any taking of pictures of it is prevented on the seemingly proper ground that neither the government nor his estate want any undignified or sensational use of it. I have explored this thoroughly with the National Archives and the representative of the estate, verbally and in extensive correspondence. However, there is no use to which the available pictures can be put that is of any other nature, for they show nothing but his blood. That is not what I want to study or, perhaps, to show (my chief purpose is study).

FBI Exhibit 60 is available at the National Archives and it has been published by the Warren Commission and by others. However, someone in your Department has gone to some trouble to see to it that the photograph at the National Archives is entirely useless for any serious study or to secure that it can be used only for no other than undignified or sensational purposes. Instead of a photographic print there is a photograph of the printed page. Now FBI Exhibit 60 is not lithographic but is photographic in nature. With the screen built-in for printing, any enlargement is effectively precluded. My interest is the only non-sensational one. It is restricted to the tabs of the shirt through which a bullet is alleged to have passed. I do not, really, want the entire picture, as I would much prefer the largest clear enlargement you can have made of just the very small area of the shirt. My purpose is as simple as it is obvious. It is entirely restricted to a study of the damage to the shirt by the alleged bullet. I would much prefer any enlargement of this very small area of the shirt, which would eliminate all the gore, to a standard 8x10 glossy print of the exhibit itself. If you will not do this, as I hope you will, then I will accept the closest possible photograph of the original negative of FBI Exhibit 60, however because I am confident the Department would prefer no suggestion that it is withholding evidence relating to the murder of a President, I do hope you will provide me with the enlargement instead, showing only the damage. It will be obvious, I hope, that there is no undignified use of such an enlargement of the original negative that is remotely possible, even if I were intending to publish it, which I am not.

The law, as you know better than I, imposes no burden upon me to make any explanation of what I seek under it. I hope you will understand that I have taken this time, gone to this trouble, in a sincere effort to put you in a position to understand that my purposes are serious, scholarly, proper and entirely within the intent of Congress and covered by the law. If you will reflect but a moment, perhaps you will also understand that, at possible cost to myself, I have sought to put you in a position to save yourself and the Department embarrassment if you do as you have in the past.

On the other hand, I will no longer accept the standard Departmental whipping from pillar to post. One of these requests to which your Department has never responded is four years old. The request embodied in my Civil Action 718-70 was a year old at the time you acceded to the perfectly proper request but only after I filed the action and you could no longer delay trial. If I have not heard from you within two weeks that you will comply with these requests, or if I get rejection in any name other than that of the Attorney General, I will proceed with further civil actions. I would much prefer to avoid this. Most sincerely, I hope you would also.

Sincerely,

Harold Weisberg

U. S. Department of Justice
WASHINGTON, D. C. 20530

REQUEST FOR ACCESS TO OFFICIAL RECORD
UNDER 5 U.S.C. 552(a) and 28 CFR PART 16

See instructions for payment and delivery of this form at bottom of page

NAME OF REQUESTER	ADDRESS (street, city, state and zip code)
Harold Weisberg	Rt.8, Frederick, Md. 21701
DATE 5/16/70	

DO YOU WISH TO RECEIVE COPIES? ☐ YES ☐ NO IF YES, SO INDICATE (no more than 10 copies of any document will be furnished).	NUMBER OF COPIES REQUESTED	OFFICE AND CITY WHERE RECORD IS LOCATED (if known)
	1 each	Washington, D.C.

DESCRIPTION OF RECORD REQUESTED (Include any information which may be helpful in locating record)

Spectrographic analysis of bullet, fragments of bullet and other objects, including garments and part of vehicle and cubbstone said to have been struck by bullet and/or fragments during assassination of President Kennedy and wounding of Governor Connally. See my letter of 5/16/70

LITIGATION: DOES THIS REQUEST RELATE TO A MATTER IN PENDING OR PROSPECTIVE LITIGATION? ☐ YES ☐ NO

FILL IN IF IN PENDING → LITIGATION	COURT (check one)	DISTRICT	NAME OF CASE	DOCKET NUMBER
	☐ FEDERAL ☐ STATE			

There is no prospective litigation if request is complied with

SIGNATURE

FOR USE BY DEPARTMENT OF JUSTICE ONLY

THIS REQUEST IS:

☐ GRANTED

☐ DENIED

☐ REFERRED

A MINIMUM FEE OF $3.00 MUST ACCOMPANY THIS REQUEST
OTHER CHARGES ARE AS FOLLOWS. (do not write in this box

FOR SECOND AND EACH ADDITIONAL ONE QUARTER HOUR SPENT IN SEARCHING FOR OR IDENTIFYING REQUESTED RECORD $ 1.00

FOR EACH ONE QUARTER HOUR SPENT IN MONITORING REQUESTER'S EXAMINATION OF MATERIAL $ 1.00

COPIES OF DOCUMENTS:
50¢ FIRST PAGE, 25¢ EACH ADDITIONAL PAGE

FOR CERTIFICATION OF TRUE COPY $ 1.00 EACH

FOR ATTESTATION UNDER THE SEAL OF THE DEPARTMENT $ 3.00 EACH

GSA CHARGE

TOTAL CHARGE

Payment under this section shall be made in cash, or by United States money order, or by check payable to the Treasurer of the United States. Postage stamps will not be accepted.

This form may be delivered to any of the offices listed in 28 C. F. R. 16.2 or mailed to: Office of the Deputy Attorney General, Department of Justice, Washington, D. C. 20530

Exhibit

Office of the Attorney General
Washington, D. C. 20530

JUN 4 1970

Mr. Harold Weisberg
Coq d'Or Press
Route 8
Frederick, Maryland 21701

Dear Mr. Weisberg:

This is in response to your letter of April 6, 1970, requesting my review of the denial by the Deputy Attorney General of your request under the Freedom of Information Act, 5 U.S.C. § 552, for access to records thought by you to be in the files of the Department of Justice. Specifically, you have requested access to "the raw materials" including "notes, rough drafts, final panel drafts, individual reports by any of the panel members or advisors and relevant correspondence and memoranda, etc." relating to the medical reports made by the autopsy surgeons and the advisory panel to the Attorney General in connection with the assassination of President John F. Kennedy. The Deputy Attorney General denied your request on the ground that the "materials described in your letter do not exist in the files of this Department."

I have made an attempt to ascertain whether the materials you seek are in the files of this Department. It is my conclusion, after a full examination of the matter, that documents of the kind you describe do not exist anywhere in the Department. Accordingly, I must deny your request.

In your letter of April 6, you state that you wish to renew your request for the "spectrographic analyses of the bullet, fragments of bullet and other items said to have been

struck by this bullet and fragments . . . . " You point out that the "bullet in question is Warren Commission Exhibit No. 399." The Department of Justice has received requests for these documents in the past, and we have taken the position that they are part of an "investigatory file compiled for law enforcement purposes" and are therefore exempt from the Freedom of Information Act's compulsory disclosure requirements. 5 U.S.C. § 552(b)(7). At present, this issue is being litigated in the federal courts. If the plaintiff in that case is successful, the documents in question would of course be made available to you also.

Sincerely,

John W. McCormack

Attorney General

[Exhibit 10]

OFFICE OF THE DEPUTY ATTORNEY GENERAL
WASHINGTON, D.C. 20530

June 12, 1970

Mr. Harold Weisberg
Coq d'Or Press
Route 8
Frederick, Maryland 21701

Dear Mr. Weisberg:

This will reply to your letters of May 16, 1970 enclosing five separate requests for information under the Public Information Section of the Administrative Procedure Act. The information and materials you request relate to the assassination of former President Kennedy.

This letter will respond to each request in the order they were explained in your letters of May 16.

(1) Spectrographic Analyses: You have asked for access to the spectrographic analyses conducted on certain bullet evidence involved in the assassination.

I regret that I am unable to grant your request in that the work notes and raw analytical data on which the results of the spectrographic tests are based are part of the investigative files of the FBI and are specifically exempted from public disclosure as investigatory files compiled for law enforcement purposes. 5 U.S.C. 552(b)(7). The results of the spectrographic tests are adequately shown in the report of the Warren Commission where (Volume 5, pages 67, 69, 73 and 74) it is specifically set forth that the metal fragments were analyzed spectrographically and found to be similar in composition.

(2) Documentation Relating to David William Ferrie: You have described the documents you are seeking, relating to the late David William Ferrie of New Orleans, as those withheld from the Warren Commission and/or withheld from the National Archives, and those withheld by the National Archives by order of the Department of Justice.

This will advise you that no documents relating to David William Ferrie were withheld by the FBI from the Warren Commission. Also, so far as is known, all records of the Warren Commission pertaining to David William Ferrie were turned over to the National Archives by the Warren Commission, together with all other records of the Warren Commission.

With respect to those records now in the custody of the National Archives which have been withheld from public disclosure, I am unable to grant your request. These investigative reports are withheld pursuant to 5 U.S.C. 552(b)(7). The disclosure of these reports might be a source of embarrassment to innocent persons, who are the subject, source, or apparent source of the material in question which contains rumor and hearsay and details of a personal nature having no significant connection with the assassination of the President.

(3) Exhibit 60 (Pictures of President Kennedy's Shirt and Tie): In accordance with your request, enclosed herewith is a photographic copy of a portion of Exhibit 60 showing the tabs of the President's shirt.

(4) Concerning Receipt of Material Obtained at Autopsy: You have requested a photograph and all records relating to the material removed by Commander James Humes, M.C., U.S.N., at the time of the autopsy and receipted for by Special Agents Francis X. O'Neill and James W. Siberton November 22, 1963. This request appears to be based on your inability to specifically identify the Exhibit in the Commission report.

The material referred to in the receipt is identified as Commission Exhibit 843. A photograph of this Exhibit was furnished the Commission and was published in "Hearings

Before the President's Commission on the Assassination of President Kennedy," Volume 17, page 841. Other information regarding this Exhibit appears elsewhere in the Commission's Hearings.

(5) Autopsy Photographs: The Department of Justice and the FBI have never had possession or custody of the autopsy photographswhich you state were originally delivered to the Secret Service. It is our understanding they are now in the custody of the National Archives.

Sincerely,

Richard G. Kleindienst
Deputy Attorney General

1 - Mr. Mohr
1 - Mr. Sullivan
1 - Mr. Rosen
1 - Mr. Casper (Attn: Mr. Dalbey)
1 - Mr. Bishop
1 - Mr. Conrad
1 - Mr. Williams

Assistant Attorney General
Civil Division

REC-79 62-109060-1158

Director, FBI

August 20, 1970

FY-109

Harold Weisberg v. Department of Justice
USDC D.C., Civil Action No. 2301-70

Reference is made to your memorandum dated August 13, 1970, (WDR:JFAxelrad:bd, 145-12-1449) requesting information relative to the above-described matter.

With respect to paragraphs 4, 5, and 6 of the Plaintiff's complaint, the following background information relating to the spectrographic examinations conducted in this matter is set forth. In regard to the metal fragments analyzed in the FBI Laboratory, the analytical procedures involved the use of an optical instrument known as the spectrograph. The spectrograph is an instrument which analyzes the light resulting from the burning or electrical excitation of samples taken from materials under examination. Every known element, when burned, will give off light which is characteristic of itself. The practical application, however, is normally restricted to the so-called metallic elements. The advantage of a spectrographic examination over a chemical type of analysis is that very small samples can be analyzed and metallic elements in trace amounts can be detected.

Relative to the spectrographic analyses of the exhibits in question, small samples were removed from each one under a binocular microscope and placed in pure graphite electrodes. Each sample was then burned with a direct current arc. The characteristic light from each sample was analyzed on a Jarrell-Ash grating spectrograph, the results of which were recorded on photographic plates. Subsequent detailed studies of the photographic plates revealed the metallic elements present and the relative order of their abundance.

Enclosures (7)

NOTE: Departmental memo based on memo M. E. Williams to Mr. Conrad same Re 8/19/70 MEW:mjk.

62-109060

MEW:mjk (10)

AUG 31

SEP 3 1970

MAIL ROOM ☐ TELETYPE UNIT ☐

Tolson
Sullivan
Mohr
Bishop
Brennan, C.D.
Callahan
Casper
Conrad
Felt
Gale
Rosen
Tavel
Walters
Soyars
Tele. Room
Holmes
Gandy

RECORDED COPY FILED IN

Assistant Attorney General
Civil Division

As a result of these examinations, the bullet metals involved were found to be of similar composition and testimony to that effect was given before the Warren Commission.

Contrary to the plaintiff's statement in paragraph 5 of the complaint, it is not true in general that "When bullets and fragments thereof are studied spectrographically, it is possible to make a definite determination that all of the bullets and fragments came from one particular batch made by one particular manufacturer or they did not."

Special Agent John F. Gallagher, 11512 Nevis Drive, Beltsville, Maryland 20705, has personal knowledge concerning the spectrographic examinations conducted in this matter and the work notes and raw analytical data upon which the conclusions were based.

With respect to paragraphs 8, 9 and 10 of the complaint, the Commission Report would appear to speak for itself in these matters.

Concerning paragraph 11 of the complaint, the results of the Laboratory examinations were included in reports furnished the Commission. The Commission did not request nor was it furnished the work notes and related raw analytical data upon which the conclusions of the examiners were based.

In response to paragraphs 13 and 14 of the complaint, Weisberg's letter of May 23, 1966, was received by this Bureau. It was not answered by this Bureau since in our considered judgment to do so would have lent dignity and credibility to gross inaccuracies, falsehoods, and deliberate slanting of facts associated with the author's writings and public appearances related to the assassination.

Assistant Attorney General
Civil Division

In this regard, considerable background information from the files of this Bureau concerning Weisberg was furnished in my letter to the Attorney General dated November 20, 1967, entitled "Assassination of President John Fitzgerald Kennedy, November 22, 1963, Dallas, Texas."

Correspondence with the Department relating to paragraphs 15, 16, 17, 18, and 19 is a matter of record in the Department.

It is our considered opinion that the results of the spectrographic tests are adequately set forth in the report of the Warren Commission where (Volume 5, pages 67, 69, 73, and 74) testimony shows that the metal fragments were analyzed spectrographically and were found to be similar in composition. The work notes and raw analytical data upon which such results are based are not normally made public since they can only be interpreted properly by scientifically trained personnel with full knowledge and background of the techniques employed in the total analytical procedure.

The work notes and raw analytical data accumulated during the examination are part of the investigative files of this Bureau and rightfully fall within exemption number 7 of subsection (b) of 5 U.S.C. 552 which specifically exempts investigatory files compiled for law enforcement purposes.

An affidavit (original and six copies) executed by Special Agent Marion E. Williams is enclosed.

Based on the above observations, it is the firm opinion of this Bureau that the provisions of 5 U.S.C. 552, subsection (b) (7) apply in this instance and should be invoked. It is requested that denial of the Plaintiff's petition be sought.

I, Marion E. Williams, a Special Agent of the Federal Bureau of Investigation, being duly sworn depose as follows:

1. I am an official of the FBI Laboratory and as such I have official access to FBI records.

2. I have reviewed the FBI Laboratory examinations referred to in the suit entitled "Harold Weisberg v. Department of Justice USDC D. C., Civil Action No. 2301-70," and more specifically, the spectrographic examinations of bullet fragments recovered during the investigation of the assassination of President John F. Kennedy and referred to in paragraphs 6 and 17 of the complaint in said case.

3. These spectrographic examinations were conducted for law enforcement purposes as a part of the FBI investigation into the assassination. The details of these examinations constitute a part of the investigative file, which was compiled for law enforcement purposes and is maintained by the Federal Bureau of Investigation concerning the investigation of the assassination of President John F. Kennedy.

4. The investigative file referred to in paragraph "3" above was compiled solely for the official use of U.S. Government personnel. This file is not disclosed by the Federal Bureau of Investigation to persons other than U.S. Government employees on a "need-to-know" basis.

5. The release of raw data from such investigative files to any and all persons who request them would seriously interfere with the efficient operation of the FBI and with the proper discharge of its important law enforcement responsibilities, since it would open the door to unwarranted invasions of privacy and other possible abuses by persons seeking information from such files. It could lead, for example, to exposure of confidential informants; the disclosure out of context of the names of innocent parties, such as witnesses;

the disclosure of the names of suspected persons on whom criminal justice action is not yet complete; possible blackmail; and, in general, do irreparable damage. Acquiescence to the Plaintiff's request in instant litigation would create a highly dangerous precedent in this regard.

SIGNED _____

Washington
District of Columbia

Before me this _____ day of _____, 19 ___

Deponent _____ has appeared and signed this affidavit first having sworn that the statements made therein are true.

My commission expires _____

_____

Notary Public in and for the District of Colu

1 - Mr. Raupach

Date: September 18, 1970

To: Director, U. S. Secret Service

From: John Edgar Hoover, Director

Subject: RUTH LOUISE MC ALLISTER

Reference is made to your letter dated September 15, 1970, CO-2-39,700/6771, concerning the captioned subject.

The files of this Bureau contain no record concerning the subject. However, our Indianapolis Office has been instructed to locate the subject and interview her regarding her allegation that someone other than Lee Harvey Oswald was responsible for the assassination of President John Fitzgerald Kennedy. The results of inquiries conducted will be furnished to you upon receipt.

KMR:erg
(4)

SEE NOTE PAGE TWO

REC-34

ST-113

SEP 23 1970

BY COURIER SVC.
32SEP18
COMM-FBI

Tolson
Sullivan
Mohr
Bishop
Brennan, C.D.
Callahan
Casper
Conrad
Felt
Gale
Rosen
Tavel
Walters
Soyars
Tele. Room
Holmes
Gandy

65SEP29 1970

MAIL ROOM ☐ TELETYPE UNIT ☐

NOTE:

U.S. Secret Service referred a letter from Ruth Louise McAllister of Anderson, Indiana, which was addressed to Senator Bayh of Indiana. Senator Bayh's Office referred the letter to U.S. Secret Service and Secret Service indicated they are conducting no investigation. In McAllister's communication she claims she knows who killed John F. Kennedy and that he was in Chicago during March, 1969. Secret Service requested to be advised if the subject was known to the Bureau and whether any investigation was going to be conducted. By separate communication, Indianapolis has been instructed to locate and interview McAllister and the results of this interview will be furnished to U.S. Secret Service.

SAC, Indianapolis

September 18, 1970

REC-34 Director, FBI (62-109060)

1 - Mr. Raupach

ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY
NOVEMBER 22, 1963
DALLAS, TEXAS
MISCELLANEOUS - INFORMATION CONCERNING

Enclosed for Indianapolis are two Xerox copies of a self-explanatory communication received from U. S. Secret Service and two Xerox copies of a letter addressed to Senator Bayh bearing a typewritten signature Ruth Louise McAllister.

Bureau files contain no references to McAllister. Indianapolis at Anderson, Indiana, promptly locate McAllister and interview her thoroughly regarding any information she allegedly has in her possession relating to the captioned matter. Also, conduct appropriate checks to determine McAllister's background.

This matter is to be handled immediately and the results of your inquiries are to be incorporated into a letterhead memorandum suitable for dissemination.

Enclosures (4)

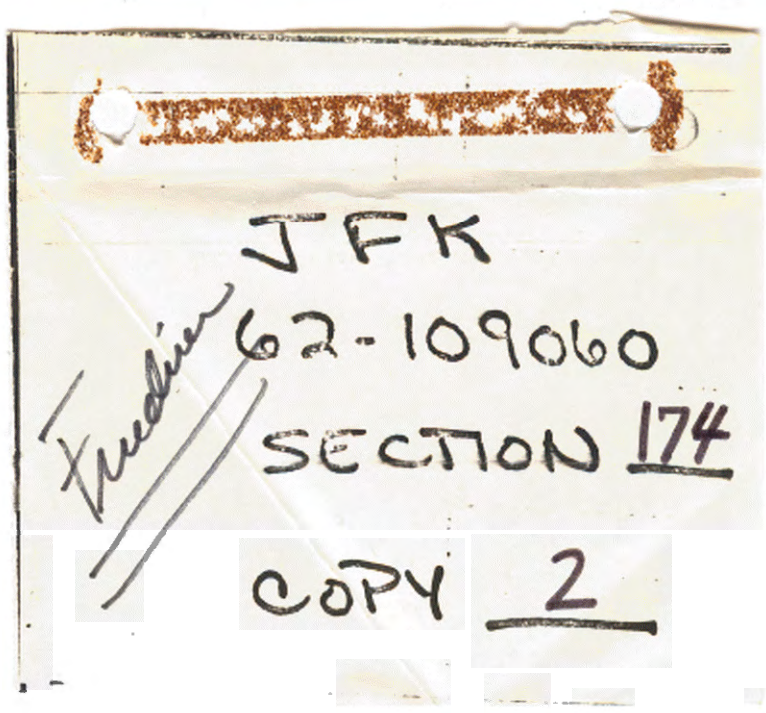
KMR:dvq
(4)

NOTE: U. S. Secret Service referred a letter from Ruth Louise McAllister of Anderson, Indiana, which was addressed to Senator Bayh of Indiana. Senator Bayh's office referred the letter to U. S. Secret Service and Secret Service indicated they are conducting no investigation. In McAllister's communication she claims she knows who killed John F. Kennedy and that he was in Chicago during March, 1969. From the contents of McAllister's communication, it appears she may be another assassination buff [redacted] Results of Indianapolis inquiries will be furnished U. S. Secret Service. By separate communication, U.S. Secret Service has been advised the subject is unknown to the Bureau and our Indianapolis Office is going to interview her.

Tolson
Sullivan
Mohr
Bishop
Brennan, C.D.
Callahan
Casper
Conrad
Felt
Gale
Rosen
Tavel
Walters
Tele. Room
Holmes
Gandy

MAILED 8
SEP 29 1970
COMM-FBI

MAIL ROOM ☐ TELETYPE UNIT ☐


JFK
Trudeau
62-109060
SECTION 174
COPY 2

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI (62-109060) DATE: 6/29/70

FROM : SAC, INDIANAPOLIS (62-1686) (P)

SUBJECT: ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY
NOVEMBER 22, 1963
DALLAS, TEXAS
MISCELLANEOUS - INFORMATION CONCERNING

Re Bureau letter to Indianapolis, 9/18/70.

Enclosed to the Bureau are the original and four copies captioned and dated as above.

Encl Pkg to

CC TO: U.S.
REQ. REC'D 5-5-71
MAY 10 1971
ANS BY: JWB

Ruth McAllister

ST-106

2 cc's LHM to USSS BY O-NIC 10/6/70

1-CC LET + LHM RM 5714

6-KMR

REC-55 62-109060-6961

ENCLOSURE

18 OCT 5 1970

(2) Bureau 2 (Encl 5) (RM)
2 - Indianapolis
JDG/slr
(4)

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION
Indianapolis, Indiana
September 29, 1970

In Reply, Please Refer to File No.

Assassination of President
John Fitzgerald Kennedy
November 22, 1963
Dallas, Texas

On September 24, 1970, Mrs. Paul McAllister, 1220 Indiana Avenue, Anderson, Indiana, Telephone Number 642-9680, was contacted in regards to her knowledge concerning the whereabouts of her daughter Ruth Louise McAllister.

Mrs. McAllister stated her daughter [redacted] She stated her daughter Ruth Louise lives with her at 1220 Indiana Avenue, Anderson, Indiana, but is not employed currently in a full time capacity. Ruth Louise had worked for a Child Day Care Center at the Eastland Christian Church, 2230 Jefferson Street, Anderson, Indiana as a music teacher. Ruth Louise plays the piano at the Day Care Center.

[redacted]

Mrs. McAllister advised Ruth Louise lives in a "fantasy world." She sees an important event in a newspaper or on television and becomes so involved in her mind she thinks herself into the situations. Ruth Louise writes letters

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

ENCLOSURE 62 10700 6761

to various people in high places in the Federal Government, church and local government. She usually puts in it something to indicate she has knowledge of an event, for example the assassination of President Kennedy.

[redacted]

Mrs. McAllister advised she will make all attempts to curtail her daughter's letter writing at future dates.

THIS SERIAL HAS BEEN REFERRED TO ANOTHER AGENCY AND IS IN A PENDING STATUS:

FILE NO. 62-109060

SERIAL NO. NOT RECORDED AFTER 6961

PAGE NO. 1-4

NO. OF PAGES 4

SECTION NO.

174

AOJ

REFERRAL

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Sullivan

FROM : A. Rosen

SUBJECT: FIVE-YEAR REVIEW OF WARREN COMMISSION FILES

1 - Mr. Sullivan
1 - Mr. Rosen
1 - Mr. Malley
DATE: September 16, 1970
1 - Mr. Shroder
1 - Mr. Raupach
1 - Mr. Branigan
1 - Mr. Conrad
1 - Mr. Frazier
1 - Mr. Goble
1 - Mr. Hines
1 - Mr. McGowan
1 - Mr. Brennan

Tolson
Callahan
Casper
Conrad
Felt
Gale
Rosen
Tavel
Walters
Soyars
Tele. Room
Holmes
Gandy

PURPOSE: To advise the Department requested the Bureau assist in the present five-year review of Warren Commission files contained in the National Archives to determine what material relating to the assassination of President John Fitzgerald Kennedy can now be released. Action has been taken to handle this request.

BACKGROUND: The Attorney General (AG) was advised by letter dated 8/10/65 we completed the project of reviewing past records of the Warren Commission on file in the Archives. This review was conducted in accordance with guidelines approved by the Honorable McGeorge Bundy, Special Assistant to the President on 4/19/65. The guidelines also indicated these records had to be reviewed every five years to determine what other material could be released.

On 9/14/70, Special Agent (SA) Kenneth M. Raupach, General Investigative Division, consulted with Mr. Stephen P. Lockman, who is handling the matter in the Department, concerning the current review. Mr. Lockman advised that he was not too familiar with the material in the Archives or how it was handled in the past. In this respect, Mr. Lochman was referred to the information we previously furnished to the Department regarding our original review.

Accompanying our letter to the AG 8/10/65, was a list of material reviewed setting forth information as to what could be released according to the guidelines and those items which were not to be released. This list was broken down into List A, (items to be released); List B (reports and other data) which could be released, however certain pages from these reports were excised due to their contents falling within the guidelines; List C, Bureau documents which were given Commission Document numbers and were not released; Lists D and E missing documents or transmittal letters that could not be evaluated in light of the guidelines. A supplemental list was furnished to the AG by letter dated 8/25/65 setting forth other material released. These two lists will now be our working guide in connection with the current review.

62-109060

Mr. Lockman advised that in 1968, at the request of the AG, the Department made a review of all the Warren Commission documents withheld from the public retained in the Archives; however [illegible]

[illegible] 1970
SEP 30 [illegible]

MM:dvq
(12)

550CT 5 1970

CONTINUED - OVER

ORIGINAL FILED IN

of the documents was made. He furnished a copy listing 41 documents originally prepared by the FBI which in the opinion of the Department could probably be released. These will be reviewed also to determine whether there is any objection to their release.

On 9/15/70, Mr. Lockman, Mr. Marion M. Johnson of the Archives and SA Kenneth M. Raupach met to arrange for working space in the Archives and to determine what material had to be reviewed. There are 12 boxes in Archives containing material furnished by the Bureau to the Warren Commission which has not been released. A spot check of this material revealed it dealt primarily with the investigation of Lee Harvey Oswald, Jack L. Ruby, investigation requested by the Commission regarding Mark Lane subject of a pending Bureau security case, and related material. It is specifically noted that in reviewing those pages which were deleted from reports released to the public (List B) it may be necessary to review a portion of the original report to assist in determining whether those pages can now be released. In this respect a numerical count made determined that there are 1,482 pages involved which were deleted from 108 Bureau reports or letterhead memoranda furnished to the Commission which were given Commission Document numbers. In addition, there are 154 reports in various lengths which were never released to the public (List C) and must now be reviewed to determine whether any of the information can be made public.

It is anticipated that the review will be started on 9/18/70, and will be completed as rapidly as possible consistent with the number of files that have to be reviewed. Since a majority of the material in the Archives deals with the investigation of Lee Harvey Oswald, which was handled by the Domestic Intelligence Division, it was estimated that three supervisors from the Domestic Intelligence Division as well as SAs J. W. Hines and K. M. Raupach of the General Investigative Division would be needed. The General Investigative Division is preparing necessary material for use in connection with this project. Space has been designated in the Archives in Room 6E.

ACTION: If approved, the Domestic Intelligence Division should designate three supervisors for this project and furnish their names to SA Raupach who will coordinate the project beginning the review on 9/18/70. No request for manpower is being made from the Laboratory at this time until the review is made. If it is determined Laboratory assistance is needed, a request will be made.

SEE DOMESTIC INTELLIGENCE DIVISION ADDENDUM, PAGE 3

A. Rosen to Mr. Sullivan memorandum
RE: FIVE-YEAR REVIEW OF WARREN COMMISSION FILES

ADDENDUM DOMESTIC INTELLIGENCE DIVISION 9-17-70 WAB:lag 1/6

In view of the pressure of work presently existing in the Domestic Intelligence Division caused by the rebellious activities of the New Left and the general unrest of the racial situation, together with the potentially explosive situation when the numerous heads of states will arrive for the commemorative session of the United Nations, the Domestic Intelligence Division recommends that only two men from this Division be used for this review.

one per WCS

C.D. Brennan. We think we this would be in addition to

FOIPA

THIS SERIAL HAS BEEN REFERRED TO ANOTHER AGENCY AND IS IN A PENDING STATUS:

FILE NO. 62-109060

SERIAL NO. Not Recorded after 6961

PAGE NO. 1

NO. OF PAGES 1

SECTION NO.

174

DOJ

REFERRAL

UNITED STATES GOVERNMENT

Memorandum

DEPARTMENT OF JUSTICE

TO : J. Edgar Hoover
Director
Federal Bureau of Investigation

DATE: SEP 4 1970

FROM : William H. Rehnquist
Assistant Attorney General
Office of Legal Counsel

SUBJECT: Five-Year Review of Warren Commission Files.

Mr. Tolson
Mr. Sullivan
Mr. Mohr
Mr. Bishop
Mr. Brennan CD
Mr. Callahan
Mr. Casper
Mr. Conrad
Mr. Felt
Mr. Gale
Mr. Rosen
Mr. Tavel
Mr. Walters
Mr. Soyars
Tele. Room
Miss Holmes
Miss Gandy

The Attorney General has referred to me the letter to him of August 17, 1970 from Herbert E. Angel, Acting Archivist of the United States (a copy of which is attached), notifying the Department that it is time for the documents in the Numbered Document File of the Warren Commission which have previously been withheld from public scrutiny to be reviewed for the purpose of determining whether any of those documents may now be released. Mr. Angel points out that the documents of the Department in question include "about four linear feet of reports of the Federal Bureau of Investigation" and "Commission Document 355, a volume (about 2 inches thick) of copies of summaries of FBI interviews with acquaintances of Jack L. Ruby." Mr. Angel states that the Archives will be pleased to make these documents available to those members of the Department selected to review them.

In late 1968, at the request of the Attorney General, this Office made a complete review of all of the documents in the Commission's files and listed those items which appeared to be releasable. We recommended to the Attorney General, however, that no release of documents be made at that time. My predecessor, Mr. Frank Wozencraft, stated in a memorandum to the Attorney General that-

> [I]n view of the lack of substantive value of these materials and the very small proportion which they represent of the total presently withheld, I do not believe that any constructive purpose would be served by their release prior to the review scheduled for 1970, for which this list would furnish an appropriate starting point.

SEP 22 1970

2 Enclosures

cc to AAG, Office of Legal Counsel
9/9/70

62-109060
JDH:smh

NOT RECORDED
145 SEP 24 1970

EX-PROC.
SEP 4 1970

62-109090

The Attorney General accepted this recommendation, and no new release of documents was made at that time.

In view of the fact that the Department's documents which are presently being withheld were generated by the Bureau, it is appropriate that the Bureau assist in the present five-year review. The inventory prepared by this Office in 1968 will, we believe, facilitate the task at hand. The attorney in this Office handling this matter is Steven P. Lockman, code 187, extension 2053. If you will designate an individual from the Bureau and direct him to notify Mr. Lockman, we can proceed with the review and the preparation of a recommendation to the Attorney General.

Attachments

GENERAL SERVICES ADMINISTRATION
National Archives and Records Service
Washington, D.C. 20408

RECEIVED

August [illegible] 20 [illegible]

Honorable John N. Mitchell
Attorney General
Washington, D. C. 20530

Dear Mr. Attorney General:

The President's Commission on the Assassination of President Kennedy transferred its records to the National Archives in November 1964 to be "permanently preserved under the rules and regulations of the National Archives and applicable Federal law" (Report of the Commission, p. XV). The records included some documents which are withheld from disclosure by specific statutes, security classified records, investigatory files compiled for law enforcement purposes, and medical and personnel records. It was apparent that the records of the Commission would have to be reviewed on a document-by-document basis in order to identify the relatively few documents of this nature that could not immediately be made available for research.

This review was conducted in 1965 in accordance with "Guidelines for Review of Materials Submitted to the President's Commission on the Assassination of President Kennedy," which were prepared by the Department of Justice in consultation with the agencies which furnished records to the Commission (copy enclosed). Under these guidelines (page 2) it is the responsibility of the Archivist of the United States to arrange for successive reviews of the records of the Commission that are withheld from research. As it is now five years since the review of the Numbered Document File of the Commission in 1965, it is time for the documents that were withheld from research at that time to be reviewed again as indicated in the last paragraph of the guidelines. The National Archives will be pleased to show the documents withheld from research at the request of your Department to any members of your staff who may be selected to review them. The following documents are withheld at the request of the Office of Legal Counsel of the Department of Justice:

1. About four linear feet of reports of the Federal Bureau of Investigation.

129-012-3

AUG 18 1970

ATTORNEY GENERAL

ENCLOSURE

Keep Freedom in Your Future With U.S. Savings Bonds

OFFICE OF LEGAL COUNSEL

2. Commission Document 355, a volume (about two inches thick) of copies of summaries of FBI interviews with acquaintances of Jack L. Ruby which was transmitted to the Commission by a letter dated February 4, 1964, of the Assistant Attorney General in charge of the Criminal Division of the Department. Withheld under Guideline 3C.

The following staff members of the National Archives may be called for any additional information that may be needed: Mr. Mark G. Eckhoff, Director, Legislative, Judicial and Diplomatic Records Division, or Mr. Marion M. Johnson, on Code 13, Extension 23171.

Sincerely,

Herbert E. Angel

HERBERT E. ANGEL
Acting Archivist
of the United States

Enclosure ✓

GUIDELINES FOR REVIEW OF MATERIALS SUBMITTED TO THE PRESIDENT'S COMMISSION ON THE ASSASSINATION OF PRESIDENT KENNED

1. Statutory requirements prohibiting disclosure should be observe

2. Security classifications should be respected, but the agency responsible for the classification should carefully re-evaluate the contents of each classified document and determine whether the classification can, consistently with the national security, be eliminated or downgraded.

3. Unclassified material which has not already been disclosed in another form should be made available to the public on a regular basis unless disclosure--

   (A) Would be detrimental to the administration and enforcement of the laws and regulations of the United States and its agencies;

   (B) Might reveal the identity of confidential sources of information and impede or jeopardize future investigations by precluding or limiting the use of the same or similar sources hereafter;

   (C) Would be a source of embarrassment to innocent persons, who are the subject, source, or apparent source of the material in question, because it contains gossip and rumor or details of a personal nature having no significant connection with the assassination of the President;

DATED
MARKED

ENCLOSURE

~~(D) Would reveal material pertinent to the criminal prosecution of Jack Ruby for the murder of Lee Harvey Oswald, prior to the final judicial determination of that case.~~

Whenever one of the above reasons for nondisclosure may apply, your department should, in determining whether or not to authorize disclosure, weigh that reason against the overriding policy of the Executive Branch favoring the fullest possible disclosure.,

Unless sooner released to the public, classified and unclassified material which is not now made available to the public shall, as a minimum, be reviewed by the agency concerned five years and ten years after the initial examination has been completed. The criteria applied in the initial examination, outlined above, should be applied to determine whether changed circumstances will permit further disclosure. Similar reviews should be undertaken at ten-year intervals until all materials are opened for legitimate research purposes. The Archivist of the United States will arrange for such review at the appropriate time. Whenever possible provision should be made for the automatic declassification of classified material which cannot be declassified at this time.

Assistant Attorney General
Office of Legal Counsel

September 9, 1970

Director, FBI

1 - Mr. Goble (Domestic Intelligence Division)
1 - Mr. Huppert

62-109060

FIVE-YEAR REVIEW OF
WARREN COMMISSION FILES

Reference is made to your letter, under the above caption, dated September 4, 1970.

This letter enclosed a letter to the Attorney General from Herbert E. Angel, Acting Archivist of the United States dated August 17, 1970. Referenced letter stated that Mr. Angel advised "it is time for the documents in the Numbered Document File of the Warren Commission which have previously been withheld from public scrutiny to be reviewed for the purpose of determining whether any of those documents may now be released."

Mr. Angel pointed out that documents of the Department in question included FBI reports (concerning the Assassination of President John F. Kennedy) and a volume of copies of summaries of FBI interviews with acquaintances of Jack L. Ruby. On September 8, 1970, Special Agent J. Donald Huppert contacted Mr. Steven P. Lockman who is handling this matter for the Department. Arrangements were made for Special Agent Kenneth M. Raupach of this Bureau to meet with Mr. Lockman on September 14, 1970, for discussions concerning the review of the material in question.

MAILED 8
SEP 9 1970
COMM-FBI

ORIGINAL FILED IN

1 - Assistant Attorney General
Criminal Division

NOTE: The letter to the Attorney General dated 8/17/70 from the Acting Archivist referred to regulations which require a review every five years of certain files pertaining to the assassination of President Kennedy to determine if information may be made available to the public. It has been five years since the material referred to in instant communications has been reviewed. Bureau Supervisors assisted in the 1965 review, and referenced letter requests our assistance in the current review. When contacted 9/8/70, Departmental Attorney Lockman advised it would be convenient to begin this project on 9/14/70.

JCLDH:smh:mfd
(6)

MAIL ROOM ☐ TELETYPE UNIT ☐

BELVEDERE HOTEL

DUNDAS AT TALBOT STREET, LONDON, ONTARIO

September 25, 1970.

Federal Bureau of Investigation,
Washington, D. C.

Gentlemen: Attention: Investigations Branch

Enclosed herewith is communication which we received in our mail to-day. This is for your information.

Yours very truly,

Belvedere Hotel (London) Limited,

S. L. Phillips,
President.

SLP:LC
Encl.

1- ENCLOSURE

REC-56 62-109060-6962

EXAMINED COPY FILED IN

THE TRUTH !!

U.S. Federal Investigation Post Declared Assassin !!

Government Responsible for Assassinations of President + Senator Kennedy !!

Secret Officials Hired Oswald + Sirhan to Assassinate Kennedys Because They Posed Threat to Communist Activities Within Government

Report Reveals Kennedys Themselves Participated in Communist Promoted Wars !!

62-109060-6962

October 2, 1970

REC- 56

62-109060-6962

Mr. S. L. Phillips
President
Belvedere Hotel
Dundas at Talbot Street
London, Ontario, Canada

Dear Mr. Phillips:

I have received your letter of September 25th, with enclosure, and appreciate your thoughtfulness in bringing this information to my attention.

Sincerely yours,

J. Edgar Hoover

John Edgar Hoover
Director

MAILED 24
OCT 2 - 1970
COMM-FBI

UNRECORDED COPY FILED IN

NOTE: Bufiles contain no information identifiable with correspondent based on available information. Enclosure to his letter is an anonymous note alleging the Government is responsible for the assassination of President Kennedy and Senator Kennedy. Upon approval of this communication, it and its enclosure should be routed to the General Investigative Division.

MSR:ajh (3)

Tolson
Sullivan
Mohr
Bishop
Brennan, C.D.
Callahan
Casper
Conrad
Felt
Gale
Rosen
Tavel
Walters
Soyars
Tele. Room
Holmes
Gandy

MAIL ROOM ☐ TELETYPE UNIT ☐

OCT 9 1970

FBI

Date: 10/7/70

Transmit the following in _____ (Type in plaintext or code)

Via AIRTEL AIRMAIL (Priority)

TO: Director, FBI (62-109060)

FROM: SAC, New Orleans (89-69) (P)

REC 83 Encl

ASSASSINATION OF PRESIDENT JOHN
FITZGERALD KENNEDY, DALLAS, TEXAS,
NOVEMBER 22, 1963
MISC. - INFORMATION CONCERNING
OO: Dallas

Enclosed for the Bureau is a newspaper article appearing in the New Orleans States-Item concerning above-captioned matter.

One copy each of this newspaper article is enclosed for Dallas and Miami.

ENCLOSURE

(2) - Bureau (Enc. 1)
1 - Dallas (89-43)(Enc. 1)
1 - Miami (Enc. 1)
1 - New Orleans
ECW:bs
(5)

REC 83 62-109060-6963

17 OCT 9 1970

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

55 OCT 15 1970

(Mount Clipping in Space Below)

Russo Sentence Suspended in $1 Theft Case



PERRY RAYMOND RUSSO

Perry Raymond Russo, a key figure in the Kennedy assassination trial of Clay L. Shaw, received a three-month suspended sentence today for possession of stolen property.

Criminal District Court Judge Rudolph Becker Jr. also placed Russo, 29, on probation for three months and ordered him to pay $28 in court costs. Russo was convicted last week of possessing a stolen seafety deposit box key valued at $1.

Russo's counsel said he would appeal the case.

The conviction stemmed from an incident involving Alvin E. Fontenberta, 6711 Dorchester, owner of the key. Charges of simple burglary of a former residence of Fontenberta were filed against Russo but were not accepted by the district attorney.

Russo was a star witness in DA Jim Garrison's unsuccessful attempt to implicate Shaw in a plot to assassinate President John F. Kennedy. Russo testified he witnessed conspiracy plans in which Shaw participated.

(Indicate page, name of newspaper, city and state.)

PAGE 1

SECTION 1

THE STATES-ITEM

NEW ORLEANS, LA.

Date: 10-5-70

Edition: RED FLASH

Author:

Editor: WALTER G. COWAN

Title:

ASSASSINATION OF PRESIDENT JOHN F. KENNEDY, TEXAS

or 11-22-63

Classification: 89-

Submitting Office: N.O., LA.

☐ Being Investigated

ENCLOSURE

(Rev. 5-22-64)

FBI

Date: 10/8/70

Transmit the following in _____ (Type in plaintext or code)

Via: AIRTEL _____ (Priority)

TO: DIRECTOR, FBI (62-109060)

FROM: SAC, DALLAS (100-10461)(C)

SUBJECT: ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY,
NOVEMBER 22, 1963, DALLAS, TEXAS
MISCELLANEOUS - INFORMATION CONCERNING

OO: DALLAS

Re Dallas airtel to Bureau dated 7/10/70.

Enclosed for the Bureau are two copies of a newspaper article appearing in the 10/6/70 issue of "The Dallas Morning News", Dallas, Texas, reflecting that both the Government and attorneys for the former wife of LEE HARVEY OSWALD had waived jury trial with respect to the determination as to the amount of money Mrs. MARINA OSWALD PORTER would receive for certain personal property of LEE HARVEY OSWALD which is being permanently retained in the U. S. Archives at Washington, D.C.

This article indicated that U. S. District Judge JOE E. ESTES, Dallas, would decide how much money the Government would pay Mrs. MARINA OSWALD PORTER for this personal property. This proceeding relates to a Civil Action, #CA-3-2282, in which MARINA OSWALD PORTER was seeking $500,000 for the property.

The above information is furnished the Bureau for its information, the Bureau having previously been advised that this Civil matter is being handled by attorney ERWIN GOLDBLOOM of the General Litigation Section of the U. S. Department of Justice.

(2) - Bureau (Enc. 2)
1 - Dallas
RPG:jls
(3)

REC-10 62-109060-696

ENCLOSURE

EX-112 17 OCT 10 1970

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

(Mount Clipping in Space Below)

Both Sides Waive Jury Trial On Oswald Personal Property

By EARL GOLZ

Both the government and attorneys for the former wife of Lee Harvey Oswald waived a jury trial Monday to let a federal judge decide how much money Mrs. Marina Oswald Porter will receive for Oswald's personal property.

U.S. Dist. Judge Joe E. Estes must determine exactly how much money will be paid by the government to Mrs. Porter for the 500 items belonging to the accused assassin of President John F. Kennedy.

The items, some of them mutilated after tests by federal authorities, have been placed permanently in the U.S. Archives at Washington, D.C.

At a pretrial conference Monday in Judge Estes' chambers, attorneys for the government and Mrs. Porter were told the only evidence they can submit to back up their claims is the evidence presented earlier to William B. West III.

WEST, A FORMER U.S. attorney here, had appraised the property at $17,654 as its fair market value as of Nov. 1, 1966, the time of the "taking" of the property by the government.

Mrs. Porter originally had filed suit seeking $500,000 for the property.

Experts later testified in behalf of Mrs. Porter that the property could be worth as much as $40,000 based on the value as of Nov. 1, 1966. Judge Estes had ruled that the value must be determined as of Nov. 1, 1966, after some items had been mutilated and some letters had been published.

Asst. U.S. Atty. Ken Mighell's experts had testified the value could be as much as $10,000 on Nov. 1, 1966.

However, Mighell also has argued that the items "cannot be enhanced by the wrongful act" of Oswald in allegedly killing Kennedy. If Judge Estes agrees with him, the government is asserting Mrs. Porter is due no more than $3,000 compensation.

Judge Estes ordered each side to submit a memorandum opinion of what they think should be the value of the property. Mrs. Porter was asked to submit her figure Nov. 9 and Mighell to submit his Dec. 9.

THE HIGHEST of West's appraisals, which are not binding, was $5,000 for "sheets of English writing, both sides of which appear" to be Oswald's diary.

A $2,000 appraisal was given Oswald's 22-page typewritten dissertation outlining the political, domestic and labor life of the Russian as well as other guides to the Russian political system as he saw it while in that country.

Several pages of Oswald's blue ink handwriting on Holland-American Line stationery also were appraised at $2,000 by West.

Not included in the items was a Mannlicher-Carcano rifle with a telescopic sight which the Warren Commission claimed was used to shoot Kennedy from a sixth floor window of the Texas Book Depository building.

(Indicate page, name of newspaper, city and state.)

9-A "The Dallas Morning News" Dallas, Texas

Date: 10/6/70
Edition:
Author:
Editor: Jack B. Kruger
Title:

Character:
or
Classification:
Submitting Office: Dallas

☐ Being Investigated

ENCLOSURE 1964

FD-36 (Rev. 5-22-64)

FBI

Date: 10/9/70

Transmit the following in _____ (Type in plaintext or code)

Via AIRTEL AIRMAIL (Priority)

Mr. [illegible]
Mr. [illegible]
Mr. Mohr
Mr. Bishop
Mr. Brennan C.D.
Mr. Callahan
Mr. Casper
Mr. Conrad
Mr. Felt
Mr. Gale
Mr. Rosen
Mr. Tavel
Mr. Walters
Mr. Soyars
Tele. Room
Miss Holmes
Miss Gandy

TO: Director, FBI (62-109060)

FROM: SAC, New Orleans (89-69) (P)

ASSASSINATION OF PRESIDENT JOHN FITZGERALD KENNEDY, DALLAS, TEXAS, NOVEMBER 22, 1963
MISC. - INFORMATION CONCERNING

CR

Enclosed for the Bureau are three newspaper articles appearing in New Orleans newspapers concerning above-captioned matter.

One copy each of these articles is enclosed for Dallas and Miami.

ST-116

REC-57 62-109060-6965

OCT 12 1970

2 - Bureau (Enc. 3) ENCLOSURE
1 - Dallas (89-43) (Enc. 3)
1 - Miami (Enc. 3)
1 - New Orleans
ECW/bs
(5)

59 OCT 21 1970

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

(Mount Clipping in Space Below)

Shaw Asks Charge Quashed

An attorney for Clay L. Shaw said today District Attorney Jim Garrison failed to prove Shaw conspired with anybody in the assassination of President John F. Kennedy. Thus, he charged, the perjury charge against Shaw is invalid.

Criminal District Court Judge Malcolm V. O'Hara took under advisement a motion by Shaw's attorneys to quash the perjury charge after a hearing.

Garrison, who has been ill for some time with a back ailment, took the stand himself briefly. He looked pale, and he grabbed his back several times as if in pain.

THE DA WAS CALLED to testify about his opening statement in the trial last year in which Shaw was accused of conspiring to kill Kennedy. Acquitted of that charge, Shaw subsequently was charged with perjury for testifying in the trial that he never knew Lee Harvey Oswald or David W. Ferrie.

Oswald is the man the Warren Commission said killed Kennedy. Ferrie was a one-time airline pilot who died here under unusual circumstances Feb. 22, 1967.

Garrison said in his opening statement that the state would prove a relationship between Shaw, Ferrie and Oswald that bore on the alleged conspiracy to kill the President. Shaw took the stand and denied knowing either man.

THE OPENING STATEMENT was introduced in evidence at today's hearing after Garrison testified he made it.

F. Irvin Dymond, Shaw's attorney, argued that the state failed to live up to Garrison's promise to prove a conspiracy, and that when the jury rejected the conspiracy theory it also rejected any evidence about Shaw knowing Ferrie and Oswald.

Shaw was present at today's hearing but was not called to the stand.

The 1969 trial lasted more than a month and attracted international attention. In the end, a 12-man jury acquitted Shaw less than an hour after being charged by the trial judge.

SHAW, RETIRED executive director of the International Trade Mart, was charged with conspiracy by Garrison in 1967. It took more than two years to bring the case to trial.

Garrison has been hospitalized often in the last year for his back ailment. He was re-elected to the DA's post in the first primary last November after a campaign in which he mostly limited himself to television appearances.

The perjury charge against Shaw was lodged almost immediately after the 1969 trial ended.

Attorneys for Shaw have been working since that time to have the perjury charge thrown out of court.



States-Item Photo.

CLAY L. SHAW

(Indicate page, name of newspaper, city and state.)

PAGE 1

SECTION 1

THE STATES--ITEM

NEW ORLEANS, LA.

Date: 10-7-70

Edition: FINAL

Author: WALTER G. COWAN

Editor:

Title: ASSASSINATION OF PRESIDENT JOHN F. KENNEDY, TEXAS 11-22-6

Character:

or

Classification: 89-

Submitting Office: N.O., LA.

☐ Being Investigated

ENCLOSURE

(Mount Clipping in Space Below)

Ailina DA Makes Rare Appearance

District Attorney Jim Garrison made a rare public appearance today to testify in conjunction with the motion to quash perjury charge against Clay Shaw.

The huge Garrison lumbered slowly into the court room, his back held stiff by a brace and his heavy eyebrows furrowed together as he gave terse answers to the questions posed by defense attorney F. Irvin Dymond.

Following his testimony Garrison told reporters he has been in and out of the hospital four times, first with his back operation and then with a bone infection at the site of the operation.

He praised modern antibiotics which he said stopped the spread of the infection. He predicted he will be cleared from the hospital within a week and will be back in his office within the next two weeks.

In a jocular vein he said he expects to be playing tennis very shortly—"which is very unusual because I never could play tennis before."

To a reporter's question as to whether he is still in pain, he said yes.



—States-Item Photo.

DA JIM GARRISON at Shaw hearing.

(Indicate page, name of newspaper, city and state.)

PAGE 1

SECTION 1

THE STATES-ITEM

NEW ORLEANS, LA.

Date: 10-7-70
Edition: FINAL
Author: WALTER G. COWAN
Editor: ASSASSINATION OF PRESIDENT JOHN F. KENNEDY, TEXAS 11-22-63
Character: or
Classification: 89-
Submitting Office: N.O., LA.

☐ Being Investigated

ENCLOSURE

62-109060-6965

(Mount Clipping in Space Below)

SHAW HEARING FEATURES D.A.

Motion Seeking Perjury Charge Dismissal

Picture in Sec. 6, Page 19

A pale District Attorney Jim Garrison, occasionally clutching at his back as if in pain, testified in terse statements Wednesday in a Criminal Court hearing on a motion to throw out a perjury charge against Clay L. Shaw.

Judge Malcolm V. O'Hara took the motion to quash under advisement following the hearing, which actually began several months ago.

At that time, Shaw's attorneys subpoenaed Garrison, seeking to query him about his opening statement when Shaw was tried on a charge of conspiring to murder President John F. Kennedy.

However, Garrison could not appear due to a back ailment, and Judge O'Hara pledged that the perjury case against Shaw would not proceed until Garrison testified.

SHAW ACQUITTED

Shortly after the March 1, 1969, acquittal of Shaw by a jury, Garrison charged him with perjury. He was accused of lying when he testified during the trial that he did not know Lee Harvey Oswald, accused presidential assassin, and David W. Ferrie.

Both were named as Shaw's alleged co-conspirators.

Garrison said in his opening statement that the state would prove a relationship between Shaw, Ferrie and Oswald bearing on the alleged conspiracy to kill the President.

During his brief appearance on the witness stand, Garrison testified that he made the opening statement, and it was introduced into evidence.

Defense Attorney F. Irvin Dymond said that the state did not fulfill Garrison's promise to prove a conspiracy.

When the jury rejected the conspiracy theory, he argued, it also rejected evidence about Shaw knowing Ferrie and Oswald.

ARGUMENTS IN LINE

The arguments were in line with previous assertions that the jury, in acquitting Shaw of the conspiracy charge, also passed on the question of his truthfulness.

Shaw, retired executive director of the International Trade Mart, was in the courtroom, but did not testify.

It was exactly two years from the date of his arrest to the date of his acquittal.

Garrison's back was held stiffly by a brace and his eyebrows were drawn together as he testified.

After testifying Garrison told reporters he has been in the hospital four times with back trouble, first for an operation, then with a bone infection at the site of the operation.

The back problems have been with him before the Democratic primary election of November, in which he defeated three other candidates for his post without a runoff.

(Indicate page, name of newspaper, city and state.)

PAGE 1

SECTION 1

THE TIMES-PICAYUNE

NEW ORLEANS, LA.

Date: 10-8-70
Edition:
Author:
Editor: GEORGE W. HEALY JR.
Title: ASSASSINATION OF PRESIDENT JOHN F. KENNEDY, TEXAS
Character: 11-22-63
or
Classification: 89-
Submitting Office: N.O., LA.

☐ Being Investigated

62-109060-6965

THIS SERIAL HAS BEEN REFERRED TO ANOTHER AGENCY AND IS IN A PENDING STATUS:

FILE NO. 62-109060

SERIAL NO. Not Recorded After 6965

PAGE NO. 1-5

NO. OF PAGES 5

SECTION NO.

174

DOJ

REFERRAL

Assistant Attorney General
Office of Legal Counsel

October 12, 1970

Director, FBI

1 - Mr. Raupach
1 - Mr. Casper
(Attn: Mr. Dalbey)

APPEALS TO ATTORNEY GENERAL FROM
DENIALS OF ACCESS TO FBI RECORDS
UNDER THE FREEDOM OF INFORMATION ACT

Reference is made to your letter dated October 2, 1970, captioned as above, concerning the request of Emory L. Brown, Jr., for access to FBI records under the Freedom of Information Act regarding the assassination of President Kennedy.

Mr. Brown requests the identities of alleged suspects as set forth in the radio logs maintained by the Dallas, Texas, County Sheriff's Office and Police Department on November 22, 1963.

For your information, these radio logs referred to as Exhibits 708 and 1064 were obtained from the aforementioned local law enforcement agencies at the specific request of the Warren Commission to obtain the identities of persons maintained in these logs would require extensive review of Sheriff's Office and Police Department records as well as our own records in Washington, D. C., and Dallas, Texas. In fact of Government alone, this would entail 303 volumes, including over 13,000 serials. Some of these serials are over 1400 pages in length. Accordingly, an accurate estimate of the time involved in such a review is not possible. It would, of course, be extensive.

The comments in your letter have been carefully analyzed. We concur with maintaining the position that Brown's request should be denied since in this particular instance the Government would be assembling research for a private person. In support of this position, the following is submitted for your consideration:

(1) Our files concerning the assassination of President Kennedy are still open, and therefore would appear to be exempt from disclosure under the Freedom of Information Act. We are frequently asked by outside sources concerning allegations that a conspiracy existed in this matter, and when I testified before the Warren Commission

1 - SAC, Dallas (Info) (Encs. 8)
MAM:jmy
(6)

NOTE: See Page 3

70 OCT 22 1970 TELETYPE UNIT

on May 14, 1964, I said "so far as the FBI is concerned, the case will be continued in an open classification for all time." This testimony is contained in "Hearings Before the President's Commission on the Assassination of President Kennedy," Volume V, Page 100.

(2) The right to privacy of any person once suspect in the crime, but never charged, should be a defense to this request. Although this Bureau does not officially "clear" any suspect, it is the law that any suspect is innocent until proven guilty. Moreover, it is the fact that some suspects are totally innocent insofar as present investigation can determine the facts. We maintain that any such suspect has a right of privacy which forbids the Government from divulging his identity to those who would use it to satisfy their own curiosity or for their own profit.

(3) To open the files in the manner requested here would create the greatest criminal intelligence file for the criminal underworld ever devised. What the defendant here is asking is for the precise identities of the so-called "cleared suspects" in a major case. If he can get that information in this case, what is there to prevent any other criminal from getting the same information in any other criminal case? For example, the Bureau of Narcotics and Dangerous Drugs has spent a year or more in breaking an international heroin smuggling ring. They have arrested 15 people, all of whom we shall say are convicted. This class [illegible]. A party working in the interests of the [illegible] under the Freedom of Information Act, for all suspects investigated but never charged. If he gets that information, the international connection would immediately learn who is doing their murder, and of eight yet, have come under the [illegible] and who of their number (because they [illegible]) have been able to successfully elude the attention of the [illegible]. This intelligence will allow a reshaping of the international [illegible] more efficient smuggling. The same would apply to any [illegible] by the FBI on gambling carried out by members of the [illegible] underworld, or any other type of case in which we must constantly fight the machinations of organized crime. It would apply to

the Secret Service, with particular respect to the work against organized counterfeiting rings. It would apply also to other Federal investigative agencies. We refuse to believe that it was the intent of Congress that a criminal intelligence file should thus be made available to the criminal underworld for their benefit. We further refuse to believe that any Federal court, on finding the matter through to the ultimate and logical conclusion, will so hold. This case should go, if necessary, to the Supreme Court for that reason if no other.

(2) It is a continuing duty to protect the President of the United States and, therefore, it is believed the names of suspects in recent assassinations should not be revealed. Should a President be assassinated in the future, the names of these past suspects may become of major investigative interest. Therefore, the Government should not be forced to routinely disclose the identities of suspects in past assassinations and thus expose official interest in them.

In connection with your request for this Bureau to designate one or more members with whom the Department might confer informally on future requests under the Freedom of Information Act for FBI records, we will continue to cooperate fully. These, however, these requests will involve a variety of substantive issues, it is not believed feasible to designate specific individuals to coordinate such requests. It is preferred you continue to submit your requests in writing and replies will be submitted promptly.

NOTE: There is no derogatory information in Bureau files regarding Emory L. Brown, Jr. This matter has been coordinated with Mr. D. J. Dalbey, Legal Research Unit, Training Division.

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI [redacted] DATE: 10/27/70

FROM: SAC, LOS ANGELES [redacted] (C)

SUBJECT: [redacted]

Re Los Angeles letter to the Bureau and other receiving offices dated 5/21/70.

RONALD ROSS, Deputy District Attorney, Los Angeles County, advised that the subject is currently assigned to the California State Prison at Chino on a term of five years to life. He advised the subject's attorney and his cousin, [redacted] have filed numerous motions, requests for retrials, and for appeals and have specifically forbidden anyone from interviewing the subject.

It was Los Angeles' intention to interview [redacted] regarding his allegation that he had information about LEE HARVEY OSWALD prior to the assassination of former President KENNEDY, however, ROSS advises that psychiatric examinations given to [redacted] indicate he is emotionally unstable and given to fantasy and in view of [redacted] hostile attitude toward the FBI it is not felt that anything would be gained from such an interview.

In view of the above and the subject's current long sentence in the California State Prison System, no further investigation is being conducted in this matter by Los Angeles.

(3) - Bureau
(1 - 62-109060)
2 - Baltimore (91-2690)
1 - Jacksonville (91-1648)
3 - Newark
(1 - 91-3746)
(1 - 88-1648)
1 - New Haven
2 - Philadelphia
(1 - 91-3972)
(1 - 88-6501)
4 - Los Angeles
(1 - 91-5289)
(1 - 89-75)

5rhmjr/dmh
(16)

62-109060
NOT RECORDED
20 NOV 2 1970

ORIGINAL FILED IN

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

THIS SERIAL HAS BEEN REFERRED TO ANOTHER AGENCY AND IS IN A PENDING STATUS:

FILE NO. 62-109060

SERIAL NO. 6966

PAGE NO. 1

NO. OF PAGES 1

SECTION NO.

179

DOJ

REFERRAL

XEROXED ORIGINAL

October 26, 1970

United States Attorney
District of Columbia

WDR:[illegible]
145-12-1949

William D. Ruckelshaus
Assistant Attorney General, Civil Division
By: Kenland F. Leathers
Chief, General Litigation Section

Harold Weisberg v. Department of Justice
USDC D.C., Civil Action No. 2331-70

Attention: Mr. Robert Werdig
Asst. U.S. Attorney

Thank you for sending us copies of Answer of Plaintiff to our motion in these proceedings. We suggested the basis for [illegible] of these proceedings in our September 3, 1970, September [illegible], 1970 and October 9, 1970 memoranda. As our October 9, 1970 memorandum explains, please file the affidavit executed by Special Agent [illegible] Williams showing that the file pertaining to the assassination of President Kennedy plaintiff demands was compiled as part of the FBI investigation. Congressional reports pertaining to 5 U.S.C. 552 indicate that Congress intended to protect all such files by enactment of exemption 7. S. Rep. No. 813, 89th Cong., 1st Sess., p. 3; House Report No. 1497, 89th Cong., 2nd Sess., p. 2; Fitch v. Sherman Corp. of America, 50 F.R.D. 130 (D.C. 1970). 1/

We also suggest that you file a supplementary statement of material facts pursuant to Local Rule 9(h) incorporating the facts stated in the affidavit.

Please continue to send us copies of all papers filed and keep us informed of all developments.

cc: Mr. J. Edgar Hoover
Director, Federal Bureau of Investigation
(w/cy of Answer of Plaintiff)

REC 74 62-109060-6967

1/ Plaintiff's supposition that the FBI could not properly investigate the assassination of the President of the United States is wholly frivolous and ought to be summarily cut out of hand. In any event, the [illegible] exemption 7 is whether or not the file was compiled for law enforcement purposes" rather than subsequent use. Clearly, investigation may properly close with the conclusion no crime has been committed.

[illegible]

3 ENCLOSURES

NOV 6 1970

Assassination of President John F. Kennedy

OCT 27 1970

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

HAROLD WEISBERG, Plaintiff,	:	
v.	:	Civil Action
U.S. DEPARTMENT OF JUSTICE, Defendant	:	No. 2301-70

ANSWER OF PLAINTIFF TO DEFENDANT'S MOTION TO DISMISS OR, IN THE ALTERNATIVE, FOR SUMMARY JUDGMENT

Plaintiff denies that there are no issues of material fact and that there is no claim upon which relief can be granted.

I.

QUESTIONS OF FACT AND LAW

In its "Preliminary Statement" on page 1 of its "Memorandum of Points and Authorities," defendant states that plaintiff "has requested permission to inspect certain spectographic analyses of bullets and bullet fragments recovered from the scene of the assassination of President John F. Kennedy in Dallas, Texas on November 22, 1963."

Bullets and bullet fragments may have been "recovered" in Dealey Plaza, the "scene" of the assassination, on November 22, 1963. However, if so, plaintiff is unaware of them; a fragment or fragments were "recovered" from a piece of curbing in Dealey Plaza, but it is plaintiff's belief that this was as late as July, 1964.

The bullets and bullet fragments, spectographic analyses of which are sought by plaintiff, were "recovered" primarily on November 22nd, the date of the assassination, but some were "recovered" on November 23rd and at later times. They were "recovered" generally not at the "scene" but at Dallas' Parkland Hospital, Bethesda Naval Hospital in Maryland, and at other places, including Washington, D.C.

More important, defendant states as a matter of fact (see page one of his Statement of Material Fact) that the records sought "are part of an 'investigatory file compiled for law enforcement purposes.'" It is plaintiff's contention that this is incorrect and that the records in fact were not compiled for any law enforcement purpose but exclusively as part of an investigation requested by President Lyndon B. Johnson on November 24, 1963; Executive Order 11130; and S. J. Res. 137, 88th Congress... none of which involved "law enforcement."

The remainder of this answer will deal with this latter question which appears to be a mixed question of fact and law.

II.

LAW ENFORCEMENT?

On page two of its Memorandum of Points and Authorities, defendant properly cites exemption (b)(7) correctly as "investigatory files compiled for law enforcement purposes except to the extent available by law to a party other than an agency." Plaintiff then adds: "The thrust of the exemption is to protect from disclosure all files which the government compiles in the course of law enforcement investigations which may or may not lead to

formal proceedings." [underscoring added.]. The thrust may or may not be in accordance with the underscored clause, but it is clear that there are two explicit limitations on the exemption for "investigatory files":

1) they are exempt only if compiled for law enforcement purposes, and

2) they are exempt only if they would not be available by law to a private party.

As to whether there was a "law enforcement purpose" in compilation of the sought spectographic analyses, no better witness can be found than FBI Director J. Edgar Hoover. In testimony before the Warren Commission on May 14, 1964, the following colloquy took place between Mr. Hoover and Mr. J. Lee Rankin, General Counsel to the Commission:

> Mr. Rankin. You have provided many things to us in assisting the Commission in connection with this investigation and I assume, at least in a general way, you are familiar with the investigation of the assassination of President Kennedy, is that correct?
>
> Mr. Hoover. That is correct. When President Johnson returned to Washington he communicated with me within the first 24 hours, and asked the Bureau to pick up the investigation of the assassination because as you are aware, there is no Federal jurisdiction for such an investigation. It is not a Federal crime to kill or attack the President or the Vice President or any of the continuity of officers who would succeed to the Presidency.
>
> However, the President has a right to request the Bureau to make special investigations, and in this instance he asked that this investigation be made. I immediately assigned a special force headed by the special agent in charge at Dallas, Texas, to initiate the investigation, and to get all details and facts concerning it, which we obtained, and then prepared a report which we submitted to the Attorney General for transmission to the President.
>
> [Hearings before the Warren Commission, Vol. 5, p. 90. Underscoring added.]

Thus, according to the FBI's Director, there was no law and, hence, there could be no "law enforcement purpose." In fact,

according to Mr. Hoover, when the investigation was undertaken, there was no federal jurisdiction for it at all, except a request by the President.

Lest the argument be made that perhaps the missing law was a law of the State of Texas, it should be noted that the spectographic analyses were not given to either the Texas or Dallas authorities.

In brief, the spectographic analyses were made as part of an investigation requested by the President and by the FBI as the investigative arm of the Warren Commission. Backing up the lack of any "law enforcement purpose" is the following quote from the foreword to the Commission's Report (at p. XIV):

> "The Commission has functioned neither as a court presiding over an adversary proceeding nor as a prosecutor determined to prove a case, but as a fact finding agency committed to the ascertainment of the truth."

This contention is further strengthened by the Commission's Tenth Recommendations:

> "The Commission recommends to Congress that it adopt legislation which would make the assassination of the President and Vice President a Federal crime. A state of affairs where U.S. authorities have not clearly defined jurisdiction to investigate the assassination of a President is anomalous. [Page 26 of the Report]

"Law enforcement purposes" requires a law of some kind. Therefore, the burden is on the defendant, if he wishes to avail himself of exemption (b)(7), to state specifically (with citation) the law or laws in pursuance of which the spectographic analyses were made. So far, he has not met that burden.

III.

JENCKS

The second qualification in (b)(7) is that "investigatory files" cannot be withheld from the public if they would be "available by law to a party other than an agency."

Plaintiff is not an "agency" and it is his contention that under Jencks the spectographic analyses would certainly have been available to Lee Harvey Oswald. Hence, they cannot be withheld from plaintiff.

As the Warren Commission said in its preface: "If Oswald had lived he could have had a trial by American standards of justice where he would have been able to exercise his full rights under the law."

IV.

LEGISLATIVE HISTORY OF FREEDOM OF INFORMATION ACT (5 U.S.C. 522)

Emphasis is placed in defendant's Memorandum of Points and Authorities to the legislative history of exemption (b)(7), especially in the House of Representatives. Quoted herewith is the sum total of explanation given in the House Report on this exemption (Report No. 1497, House of Representatives, 89th Congress, 2nd Session, at p.11):

> " 7. Investigatory files compiled for law enforcement purposes except to the extent available by law to a private party: This exemption covers investigatory files related to enforcement of all kinds of laws, labor and securities laws as well as criminal laws. This would include files prepared in connection with related Government litigation and adjudicative proceedings. S. 1160 is not intended to give a private party indirectly any earlier or greater access to investigatory files than he would have directly in such litigation or proceedings."

There is also considerable reference in the defendant's Memorandum to debate on the floor of the House. The quotations are incomplete, out of context, and generally irrelevant in view of the text of Exemption (b)(7). The debate is not very helpful in ascertaining legislative intent. It is true that some members either preferred to omit (b)(7) in its entirety or to amend it in part. However, they did not prevail, (b)(7) stayed in, as reported by the Committee and it stayed in in its present text. The exemptions are carefully drawn in specific terms, and there is no loose exemption for "sensitive" government information as such, as hinted by defendant.

In this regard, FBI files are like those of any other agency. Whether a particular FBI file is exempt from disclosure depends on whether it falls within one of the nine specific exemptions, not whether it is "sensitive." Parenthetically, what could be "sensitive" about spectographic analyses of bullets and bullet fragments made in a fact finding investigation in 1963?

Spectographic analyses, like other scientific pieces of evidence, are not sensitive and should never be withheld. If spectographic analyses can be withheld from a defendant in a criminal case, other scientific evidence, such as autopsies and fingerprints, could also be withheld. This would lead to absurd and patently unfair results.

V.

CASE LAW

The primary allusion in defendant's quotation from Barceloneta Shoe Corp. v. Compton (271 F. Supp. 591) is to the

following sentence from Attorney General Clark's Memorandum of June, 1967:

> "....In addition, the House report makes it clear that litigants are not to obtain special benefits from this provision, stating that S.1160 is not intended to give a private party indirectly any earlier or greater access to investigatory files than he would have directly in such litigation or proceeding. (H.Report 11)"

In the sense that the Attorney General was speaking, the "litigant" would be Lee Harvey Oswald. The plaintiff in the present case wants no "earlier or greater access" than would have been granted to Oswald, had he lived to be tried; conversely, he wants exactly the same right of access as Oswald. And under Jencks, Oswald would have been entitled to the spectographic analyses.

On page 3 of its Memorandum of Points and Authorities, defendant quotes at some length from Clement Brothers' v. N.L.R.B., 282 F. Supp. 540. Unfortunately, defendant omitted what is probably the most important paragraph in the decision, the one immediately preceding the three quoted:

> " The Court must agree that the determination of the Court in Barcelonata is sound, though not controlling on this Court. In addition to the common sense necessity of protecting the investigatory function and procedures of the Board, the legislative history of the Act itself makes it clear that the exemption in question is not limited solely to criminal law enforcement but rather applies to law enforcement activities of all natures."

Conceding *arguendo* that this is true, both Barcelonata and Clement are irrelevant in the present case where there is no law enforcement, criminal or otherwise. Further, there is no "common sense necessity" in protecting scientific tests such as spectographic analyses, as compared to protecting witness statements before the NLRB.

Puzzlingly, defendant goes on: "In the instant case, since the records plaintiff seeks havenot been made part of any record

Page 4

in any agency proceeding he may not obtain them 'absent such use.' If they had been "part of any record in any agency proceeding" they would automatically be available. Also, the analyses were put to intense use by Warren Commission; as explained below, they were a key to the Commission's basic conclusion of a "single, lone assassin."

The last case cited by the defendant is Black v. Sheraton Corp. 50 F.R.D. 130-133 (D D.C. 1970). Again, the quoted passages are misleading. In the first place, the case concerns the breadth of Rule 26 of the Federal Rules of Civil Procedure, and touches on 5 U.S.C. 552 only in passing. Second, when commenting on 5 U.S.C. 552, the Court repeats the language of the Congressional exemption, i.e., "investigatory files compiled for law enforcement purposes except to the extent available by law to a party other than the agency." Third, the following telling paragraph in the Court's opinion was not quoted:

> "As background for the present motion, the Court notes that the United States has previously made available to the plaintiff copies of all documents in the FBI files which contain information from the surveillance. These include: (1) all logs of the surveillance, which are the actual handwritten notes of the agents who monitored the bugging device; (2) all summary airtels prepared from the logs, which are typewritten summaries of the information in the logs; (3) copies of all portions of reports which contain information obtained from the surveillance; and (4) two memoranda from the Director of the FBI to the Attorney General advising the latter of the information which had been obtained from the surveillance."

Thus, there is certainly no sanctity enveloping all FBI files as implied by defendant. In fact, to the extent that Black is relevant to the present case at all, it would appear to weigh heavily in favor of plaintiff. What was being held back by the Court in Black were certain additional transcribed conversations from an

FOUNDATION

illegal wiretap; revelation of these could harm innocent persons, divulge the identity of informants, expose leads in other criminal cases, embarass the FBI, etc.; none of these harms could come through making available the spectographic analyses in the instant case.

In summary, none of the cases cited by defendant is directly in point, and to the extent that they are relevant, not a single one passes upon the question of the withholding of records of the nature sought in this case.

VI.

CONCLUSION

In signing the Freedom of Information Act (PL 89-487) into law on July 4, 1966, President Johnson said: "I have always believed that freedom of information is so vital that only national security, not the desire of public officials or private citizens, should determine when it must be restricted." [The Presidential statement *in toto* is reproduced as Exhibit I hereto.]

In issuing a Guidance Memorandum on the FOI Act in June, 1967, Attorney General Clark stated:

> "This law was initiated by Congress and signed by the President with several key concerns:
> - that disclosure be the general rule, not the exception;
> - that all individuals have equal rights of access;
> - that the burden be on the Government to justify the withholding of a document, not on the person who requests it;
> - that individuals improperly denied access to documents have a right to seek injunctive relief in the courts;
> - that there be a change in Government policy and attitude.
>
> [All of Attorney General Clark's Foreword is reproduced as Exhibit II hereto.]

provocative Note in the rvd Law Review (Vol. 80, 1967, 914) suggests that "it seems th such investigatory files could be made available after the enforcement activity in question has been completed." Doubly so where there is no "enforcement activity" but only "fact finding."

In the Conclusion to its Memorandum of Points and Authorities, defendant says that "Congress particularly drafted into the Public Information Act a prohibition against the release to the public of the type of document plaintiff seeks in the instant action." Yet, there is no prohibition, as evidenced in the following quotation from a letter of May 7, 1970 to plaintiff's attorney in respect to another Freedom of Information suit in this Court (718-70):

> "Whether or not the documents you seek are technically exempt under one or more of the provisions of 552(b), I have determined that you shall be granted access to them. The exemptions do not require that records falling within them be withheld; they merely authorize the withholding of such records, by exempting them from the Act's otherwise applicable compulsory disclosure requirements."
>
> [The full text of this letter is printed as Exhibit III hereto.]

When one looks at the history and spirit of 5 U.S.C. 552 one wonders what is the real reason for withholding in the instant case. There is no question of divulging the identities of informants. There is no question of divulging secret investigative processes. There is no question of embarrassment to private persons.

If the spectographic analyses in fact prove that the government witnesses before the Warren Commission imply they do, i.e., a "common source" for all bullets and bullet fragments, there would appear to be no valid reason why the government should withhold them.... even as a matter of policy. If, on the other hand, they do not prove what the witnesses imply, there is an imperative

reason [redacted] wish to withhold them, i.e., the [redacted]ole Warren Commission Report and its conclusions come tumbling down.

Plaintiff does not ask, however, that these records be made available to him as a matter of policy or grace. It is plaintiff's contention that he is entitled to access to them under 5 U.S.C. 552 as a matter of law.

Therefore, the Court is asked to over-rule defendant's motions to dismiss and for summary judgment and to set the case down for trial near the head of the docket, as provided in 5 U.S.C. 552 (a)(3):

> * Except as to causes the court considers of greater importance, proceedings before the District Court, as authorized by this paragraph, take precedence on the docket over all other causes and shall be assigned for hearing and trial at the earliest practicable date and expedited in every way.

Plaintiff renews his request that the Court enjoin the defendant from further withholding of the records sought.

Respectfully submitted,

[redacted]
927 15th St., N.W.
Washington, D.C. 20005
Tel: 527-4500
Attorney for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that service of this Answer has been made upon Thomas A. Flannery, Joseph M. Hannon, and Robert M. Nordig, Jr., U.S. Courthouse, Washington, D.C., on this 16th day of October, 1970.

[redacted]

STATEMENT BY PRESIDENT JOHNSON UPON SIGNING PUBLIC LAW 89-487 ON JULY 4, 1966

The measure I sign today, S. 1160, revises section 3 of the Administrative Procedure Act to provide guidelines for the public availability of the records of Federal departments and agencies.

This legislation springs from one of our most essential principles: a democracy works best when the people have all the information that the security of the Nation permits. No one should be able to pull curtains of secrecy around decisions which can be revealed without injury to the public interest.

At the same time, the welfare of the Nation or the rights of individuals may require that some documents not be made available. As long as threats to peace exist, for example, there must be military secrets. A citizen must be able in confidence to complain to his Government and to provide information, just as he is—and should be—free to confide in the press without fear of reprisal or of being required to reveal or discuss his sources.

Fairness to individuals also requires that information accumulated in personnel files be protected from disclosure. Officials within Government must be able to communicate with one another fully and frankly without publicity. They cannot operate effectively if required to disclose information prematurely or to make public investigative files and internal instructions that guide them in arriving at their decisions.

I know that the sponsors of this bill recognize these important interests and intend to provide for both the need of the public for access to information and the need of Government to protect certain categories of information. Both are vital to the welfare of our people. Moreover, this bill in no way impairs the President's power under our Constitution to provide for confidentiality when the national interest so requires. There are some who have expressed concern that the language of this bill will be construed in such a way as to impair Government operations. I do not share this concern.

I have always believed that freedom of information is so vital that only the national security, not the desire of public officials or private citizens, should determine when it must be restricted.

I am hopeful that the needs I have mentioned can be served by a constructive approach to the wording and spirit and legislative history of this measure. I am instructing every official in this administration to cooperate to this end and to make information available to the full extent consistent with individual privacy and with the national interest.

I signed this measure with a deep sense of pride that the United States is an open society in which the people's right to know is cherished and guarded.

62-109060-611

EXHIBIT II

FOREWORD

If government is to be truly of, by, and for the people, the people must know in detail the activities of government. Nothing so diminishes democracy as secrecy. Self-government, the maximum participation of the citizenry in affairs of state, is meaningful only with an informed public. How can we govern ourselves if we know not how we govern? Never was it more important than in our times of mass society, when government affects each individual in so many ways, that the right of the people to know the actions of their government be secure.

Beginning July 4, a most appropriate day, every executive agency, by direction of the Congress, shall meet in spirit as well as practice the obligations of the Public Information Act of 1966. President Johnson has instructed every official of the executive branch to cooperate fully in achieving the public's right to know.

Public Law 89–487 is the product of prolonged deliberation. It reflects the balancing of competing principles within our democratic order. It is not a mere recodification of existing practices in records management and in providing individual access to Government documents. Nor is it a mere statement of objectives or an expression of intent.

Rather this statute imposes on the executive branch an affirmative obligation to adopt new standards and practices for publication and availability of information. It leaves no doubt that disclosure is a transcendent goal, yielding only to such compelling considerations as those provided for in the exemptions of the act.

This memorandum is intended to assist every agency to fulfill this obligation, and to develop common and constructive methods of implementation.

No review of an area as diverse and intricate as this one can anticipate all possible points of strain or difficulty. This is particularly true when vital and deeply held commitments in our democratic system, such as privacy and the right to know, inevitably impinge one against another. Law is not wholly self-explanatory or self-executing. Its efficacy is heavily dependent on the sound judgment and faithful execution of those who direct and administer our agencies of Government.

It is the President's conviction, shared by those who participated in its formulation and passage, that this act is not an unreasonable encumbrance. If intelligent and purposeful action is taken, it can serve the highest ideals of a free society as well as the goals of a well-administered government.

This law was initiated by Congress and signed by the President with several key concerns:

—that disclosure be the general rule, not the exception;

—that all individ[illegible] have [illegible]l rights of access;
—that the burden be on [illegible]overnment to justify the withholding of a document, not on [illegible] person who requests it;
—that individuals improp[illegible]y denied access to documents have a right to seek injunctive relief in the courts;
—that there be a change in Government policy and attitude.

It is important therefore that each agency of Government use this opportunity for critical self-analysis and close review. Indeed this law can have positive and beneficial influence on administration itself—in better records management; in seeking the adoption of better methods of search, retrieval, and copying; and in making sure that documentary classification is not stretched beyond the limits of demonstrable need.

At the same time, this law gives assurance to the individual citizen that his private rights will not be violated. The individual deals with the Government in a number of protected relationships which could be destroyed if the right to know were not modulated by principles of confidentiality and privacy. Such materials as tax reports, medical and personnel files, and trade secrets must remain outside the zone of accessibility.

This memorandum represents a conscientious effort to correlate the text of the act with its relevant legislative history. Some of the statutory provisions allow room for more than one interpretation, and definitive answers may have to await court rulings. However, the Department of Justice believes this memorandum provides a sound working basis for all agencies and is thoroughly consonant with the intent of Congress. Each agency, of course, must determine for itself the applicability of the general principles expressed in this memorandum to the particular records in its custody.

This law can demonstrate anew the ability of our branches of Government, working together, to vitalize the basic principles of our democracy. It is a balanced approach to one of those principles. As the President stressed in signing the law:

> "* * * a democracy works best when the people have all the information that the security of the Nation permits. No one should be able to pull curtains of secrecy around decisions which can be revealed without injury to the public interest * * *. I signed this measure with a deep sense of pride that the United States is an open society in which the people's right to know is cherished and guarded."

This memorandum is offered in the hope that it will assist the agencies in developing a uniform and constructive implementation of Public Law 89–487 in line with its spirit and purpose and the President's instructions.

RAMSEY CLARK,
Attorney General,
June 1967.

Office of the Attorney General
Washington, D.C.

MAY 6 1970

Mr. Bernard Fensterwald, Jr.
Fensterwald, Bevan and Ohlhausen
Attorneys At Law
927 Fifteenth Street, N. W.
Washington, D. C. 20005

Dear Mr. Fensterwald:

This is in response to your letter of February 2, 1970, requesting my review of the denial by the Deputy Attorney General of your request under the Freedom of Information Act, 5 U.S.C. § 552, for access to official records of the Department of Justice. Although you requested access to several items which the Deputy declined to make available, you have appealed only his denial of the request for "[a]ll documents filed by the United States with the Court in England in June-July, 1968, in the extradition proceeding by which James Earl Ray, the convicted killer of Dr. Martin Luther King, was returned to this country."

Whether or not the documents you seek are technically exempt under one or more of the provisions of § 552(b), I have determined that you shall be granted access to them. The exemptions do not require that records falling within them be withheld; they merely authorize the withholding of such records by exempting them from the Act's otherwise applicable compulsory disclosure requirements.

Sincerely,

John N. Mitchell
Attorney General

62-109060-1 17

ION

Defendant.

MOTION OF DEFENDANT TO DISMISS
THE ACTION, OR IN THE ALTERNATIVE,
FOR SUMMARY JUDGMENT

The defendant by its counsel, the United States Attorney for the District of Columbia, moves the Court to dismiss the action, or in the alternative, for summary judgment on the grounds that the complaint and the exhibits attached thereto and by reference made a part hereof, do not state a claim upon which relief can be granted, there is no issue as to any material fact and the defendant is entitled to judgment as a matter of law.

/s/
Earl J. Silbert
United States Attorney

/s/
Steven N. Kramer
Assistant United States Attorney

/s/
Edward P. Troxler, Jr.
Assistant United States Attorney

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that service of the foregoing Notice of Defendant to Dismiss the Action or, in the Alternative, for Summary Judgment, Statement of Material Fact as to which There Is No Genuine Issue together with the Memorandum of Points and Authorities in support thereof has been made upon plaintiff by mailing a copy thereof to Leonard Rosenwald, Jr., Esq., 927 15th Street, N.W., Washington, D.C. 20005, on this 6th day of October, 1976.

/s/
Assistant United States Attorney

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

HAROLD WEISBERG,

Plaintiff,

v.

U. S. DEPARTMENT OF JUSTICE,

Defendant.

Civil Action
No. 2301-70

STATEMENT OF MATERIAL FACT
AS TO WHICH THERE IS NO GENUINE ISSUE

Pursuant to local rule 9(h) the material facts in the instant action are summarized below.

1. In a series of letters of May 23, 1966; March 12, 1967; January 1, 1969; June 2, 1969; April 6, 1970; and May 15, 1970 and a "Request for Access to Official Record Under 5 U.S.C. 552(a) and 28 CFR Part 16," dated May 16, 1970, plaintiff requested various officials of the defendant to produce for inspection the "spectrographic analysis of bullet, fragments of bullet and other objects, including garments and part of cabinet and curbstone said to have been struck by bullets and/or fragments during assassination of President Kennedy and wounding Governor Connally."

2. On June 4, 1970 the Attorney General wrote:

> " . . . The Department of Justice has received requests for these documents in the past, and we have taken the position that they are part of an 'investigatory file compiled for law enforcement purposes' and are therefore exempt from the Freedom of Information Act's compulsory disclosure requirements. 5 U.S.C. §552(b)(7) . . . "

3. In a letter of June 12, 1970, the Deputy Attorney General wrote plaintiff:

> "I regret that I am unable to grant your request in that the work notes and raw analytical data on which the results of these spectographic

tents are based are part of the investigative files of the FBI and are specifically exempted from public disclosure as investigatory files compiled for law enforcement purposes. 5 U.S.C. 552(b)(7) . . . ."

4. The foregoing action was filed on August 3, 1979.

/s/
Thomas A. Flannery
United States Attorney

/s/
Joseph A. Tirabassi
Assistant United States Attorney

/s/
Robert D. Okun, Jr.
Assistant United States Attorney

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

HAROLD WEISBERG,

Plaintiff,

v.

U. S. DEPARTMENT OF JUSTICE,

Defendant.

Civil Action
No. 2301-70

MEMORANDUM OF POINTS AND AUTHORITIES
IN SUPPORT OF MOTION OF PLAINTIFF TO COMPEL
THE PRODUCTION OF SPECTROGRAPHIC ANALYSES

I.

Introductory Statement

Plaintiff has attached to his complaint copies of letters writt
to the Department of Justice over a period of three years in which h
has requested permission to inspect certain spectrographic analyses o
bullets and bullet fragments recovered from the scene of the assassi
tion of President John F. Kennedy in Dallas, Texas on November 23, 19
Also attached to the complaint are the responses from the Department
Justice in which plaintiff's requests are denied on the basis that t
analyses are part of an "investigatory file compiled for law enforce
purposes."

II.

Discussion

The sole basis upon which the Court's jurisdiction and the relie
sought is evoked is 5 U.S.C. 552, the Public Information Act amendme
to the Administrative Procedure Act. The purpose of the Act, as ex-
plained by the Attorney General in his "Memorandum on the Public
Information Section of the Administrative Procedure Act," June 1967,

is to make "information available to members of the public unless it comes within specific categories of matters which are exempt from public disclosure." p. 1. Among the specific categories of matters which are exempt are:

> "(b)(7) investigatory files compiled for law enforcement purposes except to the extent available by law to a party other than an agency." [Emphasis added.]

The thrust of the exemption is to protect from disclosure all files which the Government compiles in the course of law enforcement investigations which may or may not lead to formal proceedings. In Bargelonete Shoe Corp. v. Fenton the Court stated:

> "In general terms I agree with the /Attorney General's/ analysis of the nature and scope of the exemption, in his Memorandum on the Public Information Section of the Administrative Procedure Act, dated June, 1967, wherein he states at p. 32:
>
> "The effect of the language in exemption (7) on the other hand, seems to be to confirm the availability to litigants of documents for investigatory files to the extent to which Congress and the courts have made them available to such litigants. For example, litigants who meet the burdens of the Jencks statutes (18 U.S.C. 3500) may obtain prior statements given to an FBI agent or an SEC investigatory by a witness who is testifying in a pending case; but since such statements might contain information unfairly damaging to the litigant or other persons, the new law, like the Jencks statute, does not permit the statement to be made available to the public. In addition, the same report makes clear that litigants are not to obtain special benefits from this provision, stating that 'S.1160 is not intended to give a private party indirectly any earlier or greater access to investigatory files than he would have directly in such litigation or proceedings.' (H. Rept. 11)."
>
> "As I suggested before, Congress could not have intended to grant lesser rights of inspection and copying of witnesses' statements to persons who are faced with the deprivation of their life or liberty, than to persons faced only with remedial administrative orders under regulatory statutes." 271 F. Supp. 501, 502-503 (E.D.N.Y., 1967)

To like effect is the decision in Clement Brothers Co. v. NLRB with which the Fifth Circuit has stated it "fully concurs", NLRB v. Clement Brothers Co., 407 F.2d 1027 (5 Cir., 1969).

"Though the Court does not feel that it is necessary to reiterate an exhaustive documentation of the Act's legislative history, the following statement is exemplary of numerous others which make it clear that the plaintiff's interpretation must be rejected:

> "Into exemption comes investigatory files related to enforcement of all kinds of laws, labor and securities laws as well as criminal laws. This would involve files prepared in connection with routine Government litigation and adjudicative proceedings. H.R. Report #1497, 89th Cong., 2nd Sess., p. 11"

"In sum, it is clear that the plaintiff could obtain the employees' statements taken by the board if the employees had been called to testify -- in fact, the plaintiff was given access to the statements of the employees who did so testify. However, the plaintiff is not entitled to employee statements absent such use." 267 F. Supp. 540, 542 (So Ga. 1966).

In the instant case, since the records plaintiff seeks have not been made part of any record in any agency proceeding by any party other than "absent such use."

It is significant that the language Congress chose, "compiled for law enforcement purposes" was criticized at hearings on the proposed legislation as unduly restrictive. 89th Cong., 1st Session, Hearings on H.R. 5012 before the House Committee on Government Operations, pp. 245-247. Notwithstanding this criticism, Congress enacted exemption 7 as referred to above because it thought the broad protection against disclosure contained therein necessary to effective operation of the agencies which compile investigation reports. In addition, the legislative history of the act states, explicitly: "[t]he FBI would be protected under exemption No. 7 prohibiting disclosure of 'investigatory files.'" 89th Cong., 2nd Sess., Cong. Record, p. 13026. The speaker quoted above, Representative Gallagher, a strong supporter of the act, also stated, the bill containing exemption 7: "prevents the disclosure of . . . 'sensitive' Government information such as FBI files . . . ." [Emphasis added.]

[illegible] Court has held [illegible] ...ility to ... [illegible] ...ities of [illegible] file disclosure.

"The public policy in favor of maintaining t... [illegible] ...ecrecy of [illegible] executive records [illegible] ...ranted by Congress. In [illegible] the Freedom of Information Act, which clearly expressed the [illegible] ...ruled that, which clearly expressed the [illegible] ...to the full government agencies must make avail... [illegible] ...the formats in 5 U.S.C. 552(b)(7)]

"While these cases [Kaiser v. United States, 394 U.S. 10 and Taylor v. United States, ... U.S. 305, both cited ...] dealt with the ... first the scope of discovery in civil cases [a... ...on behalf of the United States in civil cases] ... [illegible] ...the [illegible] Court for the country and benefit of ... the [illegible] ...the [illegible] ...

"It is [illegible] ...that the [illegible] ...the plaintiff ... within the [illegible] ...interest [illegible] ...to the [illegible] ...available [illegible] ...of [illegible] ...of [illegible] ...[illegible] ...[illegible] ...[

FD-36 (Rev. 5-22-64)

FBI

Date: 11/13/70

Transmit the following in _____ (Type in plaintext or code)

Via AIRTEL (Priority)

TO: DIRECTOR, FBI (62-109060)

FROM: SAC, DALLAS (100-10461) (P)

SUBJECT: ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY,
11/22/63
Dallas, Texas
MISCELLANEOUS - INFORMATION CONCERNING

OO: DALLAS

Re Dallas airtel to Bureau dated 10/8/70.

Enclosed for the Bureau are 2 copies each of two separate newspaper articles appearing in "The Dallas Morning News" of 11/10/70 and one appearing in "The Dallas Times Herald" of 11/10/70, reflecting that MARINA OSWALD PORTER was seeking $95,000 for the personal property of LEE HARVEY OSWALD now in the possession of the U. S. Government.

These articles are submitted for the Bureau's information inasmuch as they relate to previous Civil Action #CA-3-2282, in which MARINA OSWALD PORTER was seeking $500,000 for the property.

LEAD

DALLAS

AT DALLAS, TEXAS. Will follow and report outstanding investigation by the Indianapolis Office as requested in Anchorage airtel to Bureau dated 10/28/70.

2-Bureau (Amy-111)
2-Dallas
RPG:pjc
54 (4)

ENCLOSURE

REC 19 62-109060-6968

NOV 18 1970

EX-103

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

U. S. GOVERNMENT PRINTING OFFICE: 1969 O - 345-000

(Mount Clipping in Space Below)

Oswald's Widow Files New Claim

The widow of Lee Harvey Oswald wants a Dallas federal judge to reverse his former ruling and order the government to pay her $36,000 for Oswald's personal property.

Mrs. Marina Oswald Porter originally sought $500,000 for about 500 items seized from Oswald's apartment after President John F. Kennedy's assassination.

This week Mrs. Porter's attorney, Erich F. Klein Jr., asked the court to reverse an earlier decision and award Mrs. Porter "just compensation" for the property before it was damaged.

The property was "substantially destroyed and greatly decreased in value while it was in the exclusive care and control" of the government, she contends.

Mrs. Porter asks that she be paid fair market value as of the date it was seized, Nov. 22, 1963. The government contends she should receive the fair market value for the property on the date it took title to the property —Nov. 1, 1966.

(Indicate page, name of newspaper, city and state.)

22-A "The Dallas Times Herald" Dallas, Texas

Date: 11-10-70

Edition:

Author:

Editor: Felix R. McKnight

Title:

Character:

or

Classification:

Submitting Office: Dallas

☐ Being Investigated

COPIES DESTROYED

21 JAN 17 1973

ENCLOSURE 62-10

(Mount Clipping in Space Below)

Marina Seeks $95,000 for Property

By EARL GOLZ

The widow of Lee Harvey Oswald asked a federal judge here Monday to award her $95,007 for the accused assassin's personal property — $85,000 more than valued by experts of the federal government.

Mrs. Marina Oswald Porter is seeking compensation for the fair market value of almost 500 items of Oswald as of Nov. 22, 1963, when he allegedly killed President John F. Kennedy in Dallas.

U.S. Dist. Judge Joe E. Estes earlier had ruled that the value of the property should be determined as of Nov. 1, 1966, the time of the "taking" of it by the government. The items have been placed permanently in the U.S Archives at Washington, D.C.

During the three years following the assassination, Mrs. Porter asserts, the property "has been substantially destroyed and greatly decreased in value" while it has been in possession of the government.

In a memorandum opinion filed by her lawyer, Erich F. Klein Jr., Mrs. Porter noted expert testimony by government witnesses rated the property at $10,000 as of Nov. 1, 1966, in its damaged condition and $70,000 as of about Nov. 22, 1963, when it was initially seized.

Mrs. Porter's expert testimony valued the property at $40,000 on Nov. 1, 1966, and $95,000 on Nov. 22, 1963, before it was mutilated in some instances by tests and before the Warren Commission authorized publication of some of the reading matter.

"By either standard, substantial diminuation in value occurred while the government had the property and denied the plaintiffs possession and enjoyment thereof," Mrs. Porter contended. "To fail to recognize this diminuation in value would work an inequity upon the plaintiffs and not give them full and just compensation for the property."

Nov. 1, 1966, is only the date when title to the property was vested with the U.S. government, she said. The definition of "taking" within the meaning of the 5th amendment to the U.S. Constitution, her memorandum states, "includes not only substitution of ownership but also damages to, depreciation of and destruction of property."

The government has argued that the physical damage occurred pursuant to its police powers. The cases cited by the government as precedent for its contention, however, don't deal with its police powers but rather with its "war powers" which are not applicable to the Oswald case, the memorandum stated.

Mrs. Porter originally had filed suit three years ago seeking $500,000 for the property. A court appointed appraiser valued it at $17,654 as of Nov. 1, 1966.

Meanwhile, the mother of Oswald, Mrs. Marguerite Oswald of Fort Worth, has written a letter to Judge Estes asking him to hold up proceedings in the case until she can secure legal aid. She is not a plaintiff in Mrs. Porter's suit.

Otherwise, Mrs. Oswald said, "a very grave injustice is in the making and I don't feel that I would like to be a party (knowingly or unknowingly) to such an injustice."

The mother stated in the letter that her son "was neither tried nor convicted.

"He therefore legally died an innocent man. As such, I wish to remind this court that the issue at stake is all very wrong. However, if I must abide by any unjust laws then I wish to have my say (after getting legal counsel)."

(Indicate page, name of newspaper, city and state.)

D "The Dallas Morning News" Dallas, Texas

Date: 11-10-70

Edition:

Author:

Editor: Jack B. Kruger

Title:

Character or Classification:

Submitting Office: Dallas

☐ Being Investigated

COPIES DESTROYED

21 JAN 17 1973

ENCLOSURE 62-1

FD-36 (Rev. 5-22-64)

FBI

Date: 11/25/70

Transmit the following in _____ (Type in plaintext or code)

Via AIRTEL AIRMAIL (Priority)

TO: Director, FBI (62-109060)

FROM: SAC, New Orleans (89-69) (P)

ASSASSINATION OF PRESIDENT JOHN FITZGERALD KENNEDY, DALLAS, TEXAS, NOVEMBER 22, 1963
MISC. - INFORMATION CONCERNING
OO: Dallas

Enclosed for the Bureau is a newspaper article appearing in the New Orleans States-Item concerning above-captioned matter.

One copy of this newspaper article is enclosed for Dallas and Miami.

EX-105 REC-56

62-109060-6969

NOV 28 1970

2 - Bureau (Enc. 1)
1 - Dallas (89-43) (Enc. 1)
1 - Miami (Enc. 1)
1 - New Orleans
ECW:bs
(5)

Approved: _____ Sent _____ M Per _____

Special Agent in Charge

61 DEC 9 1970

(Mount Clipping in Space Below)

Perjury Counts Against Probe Figure Dropped

Charges of perjury against Layton P. Martens, a key figure in the Kennedy assassination probe of District Attorney Jim Garrison, have been dropped by the DA's office.

Martens, 27, was a roommate of the late David W. Ferrie, another important figure in the probe, when President John F. Kennedy was murdered in 1963.

A student at the University of Southwestern Louisiana at the time of the investigaion, Martens was indicted in connection with his testimony concerning the burglary of a Houma munitions dump in 1961.

Gordon Novel and anti-Castro leader Sergio Vincente Arcacha Smith were charged with the burglary and Ferrie was named as a conspirator in the theft. Martens testified he had never met Novel and did not know whether Smith accompanied Ferrie and himself on a trip to Houma, where the burglary of the Schlumberger Wells Service muntions dump allegedly occurred.

A grand jury indicted Martens for perjury in 1967 in connection with that testimony but the case had never been brought to trial.

LA.

(Indicate page, name of newspaper, city and state.)

PAGE 6

SECTION 1

THE STATES-ITEM

NEW ORLEANS, LA.

Date: 11-20-70
Edition: FINAL
Author:
Editor: WALTER G. CONAN
Title: ASSASSINATION OF PRESIDENT JOHN F. KENNEDY, TEXAS
Character: 11-22-63
or
Classification: 89-
Submitting Office: N. O., LA.

☐ Being Investigated

62-109060-

6761

JFK-109

December 2, 1970

REC-52 62-109060-6970

AIRMAIL

[redacted]
New Zealand

Dear Mr. [redacted]

Mr. Hoover received your letter, with enclosure, on November 27th. He asked me to advise you that the FBI, at the direction of President Johnson, conducted a prompt, intensive, objective and thorough investigation of the assassination of President Kennedy. The results of this investigation were accurately reported to the Warren Commission, and not one shred of evidence has been developed to link any other persons in a conspiracy with Lee Harvey Oswald to assassinate President Kennedy. All available evidence and facts point to one conclusion--that Oswald acted alone in his crime.

With regard to the Kennedy half dollar you enclosed, this is a matter that falls within the jurisdiction of the Treasury Department and you may direct your questions pertaining to this to The Honorable, The Secretary of the Treasury, Washington, D. C. 20220.

While we would like to be of further assistance, the FBI cannot be of any help to you in securing a visa. Your enclosure is being returned herewith.

MAILED 6

Sincerely yours,

Helen W. Gandy
Secretary

Enclosure

NOTE: Correspondent is not identifiable in Bufiles. His enclosure, a Kennedy half dollar enclosed in a plastic case, is being returned to him.

LEE:cmg (3) cmg

57 JAN 18 1971

TELETYPE UNIT

TRUE COPY

[redacted]

New Zealand
21-11-70

Dear Mister Hoover

I am friend of President Kennedy and I've written my story of friendship with the President and I've sent it to the President Nixon. I know that there was conspirsey to kill my friend Kennedy and I am investigating his death in Dallas on my own because President Kennedy had told me of the people who were involved in the conspirsey. I wish you would read my story the President's Friend, Angels Castle, The Kremlin and Tito (which I've sent to Secretary - Generall U Thant) because it is important for you to know.

I've read Warren Commission Report and I can assure you--as I've spoken to Lee Oswald were in New Zealand when he had come from Moscow--that He was not alone in the conspiracy and that he was just a small man.

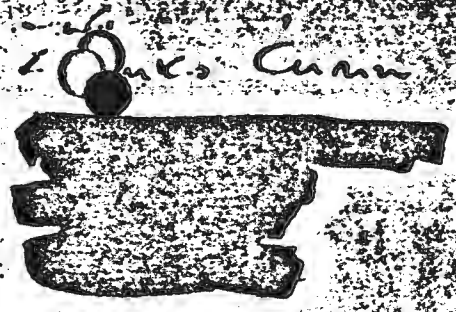
This letter I am writting to you because I want to tell you of the Kennedy the President memorial Dollar that I've got from the Queen St. Coin Shop. It was knew when I've got it and now although I've not used it, there are marks on it so I think that mine was exchanged for this on that I am sending to you for further investigation.

Sincerely your friend,

[redacted]

P.S. I am friend of Edward Senator Kennedy and I wish to inform you that he is in danger like his brothers were. I am, of course, friend of President Nixton, too. I would like to come to United States to see for myself about my friend President Kennedy but I cannot get the working visa as I am only working man I need the permission to work while I am in United States. Could you in any way help me as I think it would be very important that I talk to you personally of what I know about the assasination.

[redacted]



NEW ZEALAND

21 - 11 - 70

Dear Mister Hoover

I am friend of President Kennedy and I've written my story of friendship with the President and I've sent it to the President Nixon. I know that there was conspiracy to kill my friend Kennedy and I am investigating his death in Dallas on my own because President Kennedy had told me of the people who were involved in the conspiracy. I wish you would read my story The President's Friend, Angels Castle, The Kremlin and Tito (which I've sent to secretary - you will U Thant) because it is important for you to know.

I've read Warren Commission Report and I can assure you - as I've spoken to Lee Oswald here in New Zealand when he had come from Moscow - that he was not alone in the conspiracy and that he was just a small cog.

This letter I am writing to you because I want to tell you of the Kennedy & President memorial Dollar that I've got from the Queen St. Co. shop. It was knew when I've got it and now although I've used it, there are no I think that mine was exchanged for this one that I am sending to you for further investigation.

DEC 4 1970

P.S. I am friend of Edward Senator Kennedy and I wish to inform you that he is in danger like his brothers were. I am, of course, friend of President Nixon, too.

Sincerely your friend,

[redacted]

P.S.

I would like to come to United States to see for myself about my friend President Kennedy but I cannot get the working visa as I am only working man I need the permission to work while I am in United States. Could you in any way help me as I think it would be very important that I talk to you personally of what I know about the assassination.

[redacted]

SAC, Sacramento 12/3/70

Director, FBI (62-109060) — 6971 1 - Mr. Hanlon

ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY
11/22/63
DALLAS, TEXAS
MISCELLANEOUS - INFORMATION CONCERNING
OO: DALLAS

Enclosed for receiving offices is one true copy each of a letter forwarded to SOG by Mona Law Newton of Bishop, California.

Unless a reason to the contrary exists, Sacramento is instructed to immediately locate and interview Newton with respect to information provided in enclosed letter. Thereafter if the information indicates, appropriate investigation should be conducted to fully resolve. Bureau files are negative with respect to correspondent.

Houston immediately search indices and furnish Sacramento with any information of possible assistance.

The Bureau is to be advised of the results of inquiry in this matter.

Enclosure

1 - Dallas (100-10461) (Enc.)
1 - Houston (Enc.)

JFH:db
(6)

NOTE: Correspondent in a rather disjointed letter indicates that she has information concerning the assassination of President Kennedy. In light of this, Sacramento being instructed to interview if appropriate and to conduct that inquiry necessary to resolve. Houston being instructed to search indices as correspondent indicates she was interviewed by Houston Agents.

DEC 3 1970 COMM-FBI

Tolson
Sullivan
Mohr
Bishop
Tavel, C.D.
Callahan
Casper
Conrad
Felt
Gale
Rosen
Tavel
Walters
Soyars
Tele. Room
Holmes
Gandy

61 DEC 8 1970

MAIL ROOM TELETYPE UNIT

TRUE COPY

Nov. 24-70

The Bureau of Investigation
C/O J. Edgar Hoover
Washington D. C.

What I would like to tell you about happened in Sep. 1963. The latter part of Sep. I was coming back from the Virgin Islands I stopped for a couple of days in Houstion Texas, at, a small Hotel. Later if you send some one to let me tell them I Will, I do not Want any one here or any Place else, except you, People to hear this. About three years ago - I tried to tell two F-B-I men. They listened and seemed to be laughing at me - or at least I felt that way I never heard any more from them. The reasons I Waited so long - I Was afraid. Afraid of the gand - also my seperated husband at that time I didnt Want, him to hear about this & find me. Afraid it would get in the Papers or that I Would be called a crackpot - or liar ect. So I kept still. I kept thinking about this incident and as I am 64 years old before my memory all Vanishes about this I would like for you People to get the story I Want to tell you about the men several I heard Plotting the Death of Pres. Kennedy. There in Houston Texas. I knew who, they were talking about ect. of course I Never believed they could get the chance. I Wish now I had reported it, at the time. I didnt live in Texas & didnt Want to be delayed. No body would have listened to me then If I had told them these me planned and said With a cuss Oath He Would never get out of Texas alive That they Would, send him back to Washing in a Box - I can give you some descriptons of some of the men. Two especially and I am Postive one of the People Was Osborne and another young fellow I reconized Osborne when I saw his Picture I Met them in that hotel hall three or four times face to face. Also on the st. out side of the hotel. Also the other men. That met him there. I heard them two different times together talking. They didnt pay any attention to me I let on like I didnt nottice them. If you Wish I Will tell you all about the conversations. How the men looked ect. as good as I can remember. I read the Warren Report ect. But I dont agree because I saw & heard these men. Several together.

TRUE COPY

TRUE COPY

Please I am going to give you my P.O. Box here & town. But let any of this get out here. But I can tell you things if it Was gone into would open up some thinking believe me. I am ill. With Arthritis my fingers are so bad I can hardly Write so excuse my bad Writing I Was not in, this area When I tried to tell the other F-B.I. I sould of Written direct to you then and earlier But I guess the other F.B. I thought I Wanted to get into things as the trial's ect. Was in the Papers ect. Believe Me I do not, Publicity Nor do I Want Any of that gang of men I saw & heard that day once in the morning & once in the afternoon after me. They meant business and I knew it only I thought, there would be such good Protection that nothing could come of it. That it couldnt happen.

Even today those me are loose some where or all but Osborne unless some of them have Passed away. They Probably havent. So Please keep me out of this Just let me tell some of you. I dont Want my Name used.

Mona Law Newton
P.O. Box 1063,
Bishop, Calif.
zip 93514

F. ARROX 1906

TRUE COPY

760.24-10

The Bureau of Investigation

Mr. J. Edgar Hoover.

Washington D.C.

Dear Sir I would like to tell you about happened on Sep. 1963. The water part of Sep. 4 and coming back from the Virgin Islands I stopped for a couple of days in Venetian Gardens. It a Miami Beach. Later if you send some one to let me tell them what I will or can't tell them, also you want you people to know that about Lee Harvey age. I tried to tell him 7-13. of mar. They returned and seemed to be laughing at me — or at least I felt that way

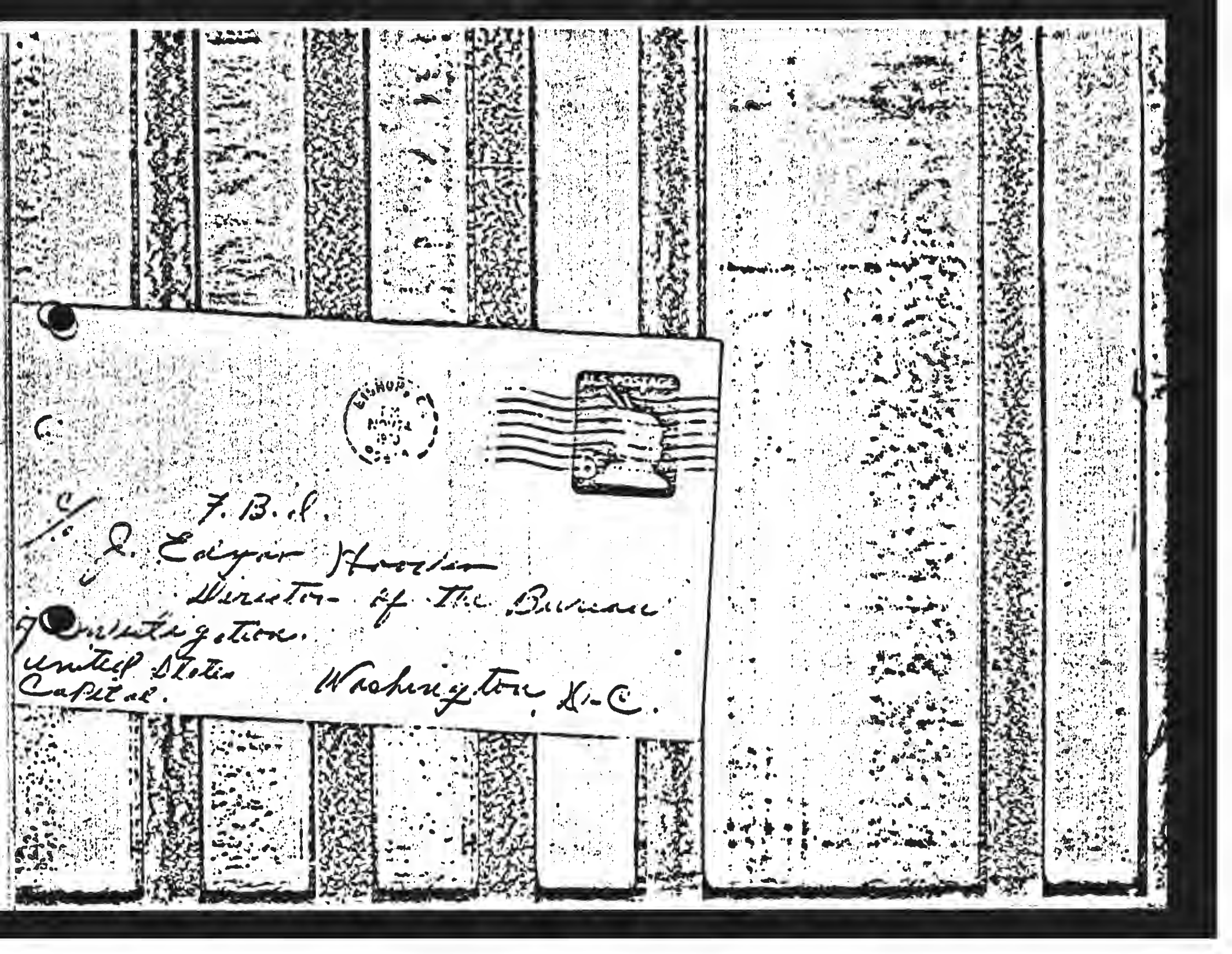
I didn't hear any more
from them. The [illegible]
I waited so long - I was
afraid. afraid of the
good - also my aforesaid
husband at that time
I didn't want him to
hear about this & find
me. afraid it would get
in the papers or that I
would be called a crank
fat - or him set. so I
kept still. I felt thinking
about this incident
and as I am 64 years
old before my memory
are vanished about this
I would like for you
people to get the story
I want to tell you about
the most secret of keep
Plotting the Death of Pres.
Kennedy. Here in Houston
Texas

I should like them to write
Talking about — if course
I would be pleased they
could get the chance. I wish
now I had reported it at
the time. I didnt like
it Dyed & didnt want to
be alleged. no body would
have listened to me
then if I had told them
this we planned and
Laid. with a Cloth he
would never get out if
Dyed alive that they
would. send him back to
Wakefield in a Pit -
can Jane you draw
descriptions I draw if
the need. I will especially
end if any Police ore
The Police Were obliging
and Brother Young Friend

I recognized Osborne
when I saw his Picture
I met them in that
hotel hall three or four
times face to face. Also
on the st. outside of
the hotel. All the other
men. But met him
there. I heard them
two different times
together talking. They
didnt pay any attention
to me I let on like
I didnt notice them.
If you wish I will
tell you all about the
~~after~~ conversation. How
the men looked etc. as
good as I can remember
I read the Warren Report
etc. But I dont agree
because I saw & heard
these men. Several together

Please I am going to
Give you my P.O. Box
here & there. But if
any if this get out here,
But I can tell you
things if it was gone
into would open up some
thinking Believe me.
am ill with Arthritis
my fingers are so bad I
can hardly write so
you can't read writing
I was put in, this
Area where I tried to
Tell the other 7-B.I.D.
Incident of writing direct
to you Name and etc
earlier But I guess the
other 7.B.I thought I
wanted to get into things
on the Locals ect. We
in the Papers ect. Believe me

I do not. Publicly for do
I Wish any of that Going
of mean & Bad & keep
that day over in the
morning & over in, the
afternoon after me.
They must Pass near
out & know it only I
thought, there would be
such good Protection
that nothing could come
if it. That it could not
happen.
Even today those we are
close some where or
all but others where
some of them have
passed away. They probably
know. So please keep me
out of this just let me
till some of you. I
dont want my home near
Mona Law Hewlton
P.O. Box 1063, Bishop, Calif
Zip 93514


F. B. A.
Director of the Bureau
of Investigation.
United States
Capitol.
Washington, D. C.

Mr. Callahan
Mr. Casper
Mr. Conrad
Mr. Felt
Mr. Gale
Mr. Rosen
Mr. Tavel
Mr. Walters
Mr. Sykes
Tele. Room
Miss Holmes
Miss Gandy

EX-113
REC-38

62-109060-6971
12-11
12 NOV 27 1970
CORRESPONDENCE

EXEC SEC
NOV 27 1970
38

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA FPMR (41 CFR) 101-11.6

UNITED STATES GOVERNMENT

Memorandum

TO :DIRECTOR, FBI (62-109060) DATE: 12/9/70

FROM :SAC, HOUSTON (62-2115) (RUC)

SUBJECT: ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY
11/22/63
DALLAS, TEXAS
MISCELLANEOUS - INFORMATION CONCERNING

(OO: DALLAS)

ReBulet to SC, 12/3/70.

Review of indices of the Houston Office regarding the name MONA LAW NEWTON reveals no information identifiable with that name. Houston files reflect no other information which would be of assistance in captioned matter.

T

EX-107

REC 11 62-109060-6972

DEC 11 1970

SEE

2 - Bureau
2 - Dallas (100-10461)
2 - Sacramento
1 - Houston

JSW:jam
(7)

DEC 16 1970

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

SAC, Dallas (89-43)

December 16, 1970

Director, FBI (62-109060) -6973

1 - Mr. Schutz

ASSASSINATION OF PRESIDENT
JOHN F. KENNEDY,
NOVEMBER 22, 1963,
DALLAS TEXAS
MISCELLANEOUS INFORMATION

ReWFOlet 12/11/70.

Insure that appropriate local authorities Dallas, Texas, are advised of information contained in referenced communication.

HAS:bkc
(4)

MAILED 23
DEC 16 1970
COMM-FBI

Tolson
Sullivan
Mohr
Bishop
Bowman
Callahan
Casper
Conrad
Felt
Gale
Rosen
Tavel
Walters
Soyars
Trlc. Room
Holmes
Gandy

58 DEC 22 1970

MAIL ROOM TELETYPE UNIT

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA FPMR (41 CFR) 101-11.6

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI (62-109060) DATE: 12/11/70

FROM : SAC, WFO (89-75)

SUBJECT: ASSASSINATION OF PRESIDENT
JOHN F. KENNEDY,
NOVEMBER 22, 1963,
DALLAS, TEXAS
MISCELLANEOUS INFORMATION
(OO:DL)

On December 9, 1970, a person who identified himself as T. C. CONNELY, Route 1, Williamstown, Kentucky, telephonically advised SA ROBERT H. TOBER that he is attorney for ROBERT GREGORY, a millionaire, who was murdered at St. Augustine, Florida, in November, 1970, by his brother, SFC RAYMOND GREGORY who according to CONNELY is stationed at Ft. Benning, Georgia. He stated, however, that ROBERT GREGORY's body has not been found. CONNELY claims that RAYMOND GREGORY killed his brother because ROBERT GREGORY had threatened to inform authorities about RAYMOND's involvement in the KENNEDY assassination, in that he killed Officer TRIBLE (sic), (probably Officer J. D. TIPPIT), the officer killed in Dallas at the time of the assassination: CONNELY stated that RAYMOND GREGORY is an excellent marksman and was also stationed at Ft. Hood, Texas, in November, 1963.

CONNELY did not ask for any information during the call and stated he just wanted to notify the FBI of this information. He stated he had already notified the Sheriff's Office in Dallas.

(2)- Bureau
1 - Atlanta (Info)
1 - Dallas (89-43) (Info)
1 - Jacksonville (Info)
1 - Louisville (Info)
1 - WFO

RHT:reb
(7)

105 DEC-56 62-109060-6973

DEC

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

Based on the dearth of identifying data, WFO is not able to locate any pertinent information in WFO files identifiable with either RAYMOND or ROBERT GREGORY. No information is contained in WFO indices re T. C. CONNELY.

Information copies are being furnished Atlanta, Dallas, Jacksonville, and Louisville, in the event CONNELY or the GREGORYs are in contact with these offices.

Since CONNELY claims he has informed the Sheriff's Office, Dallas, of this information, no further action is deemed necessary in this matter.

December 10, 1970

Airtel

1 - Mr. Shroder
1 - Mr. Schutz
1 - Mr. Griffith

To: SAC, Baltimore

From: Director, FBI (62-109060) — 6974

X-103
REC-32

ASSASSINATION OF
PRESIDENT JOHN FITZGERALD KENNEDY
DALLAS, TEXAS, 11-22-63
MISCELLANEOUS - INFORMATION
CONCERNING
(00: Dallas)

Enclosed are two Xerox copies of a letter dated December 2, 1970, from Harold Weisberg of Frederick, Maryland. One copy of this letter is enclosed for the information of the Dallas Office.

Mr. Weisberg should be contacted promptly, his letter to the Bureau acknowledged, and full details concerning the circumstances surrounding the location of the bullet should be obtained. The identity of the individual finding the bullet should also be ascertained. In addition, Mr. Weisberg should be queried as to specifically what examination the bullet has been subjected to.

MAILED 21
DEC 10 1970
COMM-FBI

It is observed that if the bullet was located in a planter which was constructed subsequent to the assassination, it would appear to have no evidentiary value and would be of no interest to the Bureau.

Also determine the circumstances surrounding the duplication of Warren Commission Exhibit 399, and this bullet along with the suspect bullet should be submitted to the Bureau, attention FBI Laboratory, in the event that either appears to have any relevance to our investigation of the assassination.

Tolson
Sullivan
Mohr
Bishop
Bresson, C.D.
Callahan
Casper
Conrad
Felt
Gale
Rosen
Tavel
Walters
Soyars
Tele. Room
Holmes
Gandy

Enclosures (2)

1 - Dallas (Info) (100-10461) (Enc.)

RIS:jny
(7)

XEROX
DEC 16 1970

61 DEC 21 1970

MAIL ROOM ☐ TELETYPE UNIT ☐

UNRECORDED COPY FILED IN

GENERAL INVESTIGATIVE DIVISION

[redacted]ed letter is from Harold [redacted]g. He is former State Department employee who was fired in 1947 because he was suspected of being a Communist or having Communist sympathies. He currently operates a poultry business in Maryland. He is author of "Whitewash" which was highly critical of the Warren Commission Report concerning the assassination of President Kennedy. He has also been critical of the Bureau. He has a suit pending against the Government for disallowing his claim under the Freedom of Information Act for information concerning the assassination.

Weisberg alleges a bullet was recently found in the area where President Kennedy was killed. He believes bullet is a "plant" but offers it to the Bureau for any examination we care to make. Weisberg's letter is not clear but it is possible that this bullet has been examined by an amateur expert.

Irrespective of Weisberg's background, it is felt that we should obtain the bullet and have the bullet examined by our Laboratory to see if it is of any significance to the assassination in order to preclude him from making any allegation that the Bureau is not interested in matters concerning the assassination. This has been coordinated with the Laboratory Division. The Dallas Office has advised it has no information concerning this bullet.

RJS:mfd

62-109060-6974

Lilian & Harold Weisberg

Coq d'Or Press ROUTE 8, FREDERICK, MD. 21701

Code 301/473-8186

12/2/70

Mr. J. Edgar Hoover
Director, F.B.I.
Washington, D.C.

Dear Mr. Hoover,

A friend who was in Dallas recently found a spent and almost-perfect bullet in a planter near the Kennedy memorial, along Houston Street. He and I both think it is a ghoulish "plant". However, I feel the loan of it should be offered to you for any test or examination you might care to make. We feel that because it is so obvious a "plant" and because we have no way of knowing when it was deposited in Dealey Plaza we should not automatically assume that it cank have no significance.

My friend, who has some amateur expertise in these matters, believes it is a type designated as .30 M2.

The rifling marks seem clear. Comparing it with a seemingly identical bullet indicates rather extensive tarnishing, possibly the consequence of weathering.

In the course of his testing, my friend has almost perfectly duplicated the condition of Warren Commission Exhibit 399 with a spent round he also sent me.

If you have any interest in any of these bullets, I can mail or deliver them to Washington or give them to your local representative.

Sincerely,

Harold Weisberg

REC-32 62-109060-6974

4 DEC 15 1970

DEC 16 1970

CORRESPONDENCE

FREDA-JEBARO Corporation
509 A Wilson Place
Frederick, Md., 21701

HAROLD WEISBERG
ROUTE 8
FREDERICK, MD. 21701

FREDERICK, MD.
PM
DEC 3
1970
21701

Mr. J. Edgar Hoover
Director, FBI
Washington, D.C.

FBI

Date: 12/18/70

Transmit the following in _____ (Type in plaintext or code)

Via AIRTEL AIRMAIL (Priority)

TO : DIRECTOR, FBI (62-109060)

FROM : SAC, SACRAMENTO (62-34) (RUC)

SUBJECT: ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY
11/22/63
Dallas, Texas
MISCELLANEOUS - INFORMATION CONCERNING
OO: Dallas

Re Bureau letter to Sacramento, 12/3/70, and Houston letter to the Bureau, 12/9/70.

Enclosed for the Bureau, Houston, and Dallas are one, one, and seven copies respectively, of an FD 302 regarding an interview of MONA LAW NEWTON at Bishop, California, on 12/16/70.

The following investigation was conducted by SA JAMES S. HANSEN:

AT BISHOP, CALIFORNIA

On 12/16/70, Bishop, California, Chief of Police JOHN PREKU advised that a review of his files reflected no record identifiable with MONA LAW NEWTON.

62-109060-695

REC-65

ST-100

22 DEC 24 1970

2 - Bureau (Enc. 1)
2 - Dallas (100-10461) (Enc. 7)
1 - Houston (Enc. 1) (Info)
1 - Sacramento
JSH:smd
(6)

Approved: _____ Sent _____ M Per _____

Special Agent in Charge

57 JAN 1 1971

It is noted that throughout the interview, NEWTON was unable to furnish exact dates, times, places, addresses, or names.

FEDERAL BUREAU OF INVESTIGATION

1

Date 12/18/70

MONA LAW NEWTON, Keough Hot Springs, was advised of the identity of the interviewing Agent and the purpose of the interview. NEWTON furnished the following information:

Sometime in late September, 1963, after having spent a vacation in the Virgin Islands, she took a jet from the Virgin Islands to New Orleans, Louisiana, where she caught an old bus to Beaumont, Texas, and stayed at an old hotel for one day.

She took a Greyhound bus from Beaumont to Houston, Texas, where she caught a cab and asked for directions to a reasonably-priced hotel. She was taken to a hotel, possibly the Lee, which was located two or three blocks from the Greyhound bus station.

The hotel was old, having a lobby on the second floor and having screen doors on the rooms, which opened on a long hallway.

While in the lobby of the hotel at the book rack, she overheard two or three men talking. She was unable to identify these men other than to say there were either two or three men; they were white and in their forties, and had suits on.

NEWTON furnished exact quotes, which, she stated, were statements made by the unknown men while seated in the lobby of the hotel. She advise that the men said, "That son-of-a-bitch, he's not gonna send our kids to school with niggers." "Whenever us Klans get through with him, he'll know." "Whenever he comes to Texas, he'll go back in a box." "When

---

On 12/16/70 at Bishop, California File # SC 62-34

by SA JAMES S. HANSEN:smd Date dictated 12/18/70

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

62-109060-6915

he gets to Texas, he won't get back alive."

NEWTON advised that the men then looked up and saw her and discontinued their conversation. The men never mentioned President KENNEDY, but NEWTON stated she knew who they were talking about. She felt these men were staying at the hotel at that time.

During the time NEWTON stayed at the hotel, she frequently saw two young men whom she described as both in their thirties, thin, about 5 feet 10 inches, and were wearing sports clothes. She felt that one was LEE HARVEY OSWALD.

NEWTON stated that on the third day of her stay there, she returned from lunch and saw a group of men seated in chairs in a semi-circle in the lobby of the hotel. She recalled they did not see her as she stood on the stairway and listened. She felt one of them was LEE HARVEY OSWALD.

She recalled that the three men she had originally observed in the hotel lobby were there, accompanied now by the two young men she had observed earlier; a big man in his fifties wearing a dark suit and Texas hat; a young man in his thirties wearing a light suit; and another man having brown skin, thin lips, with dark, penetrating eyes, and wearing an immaculate brownish suit.

NEWTON advised that she left the hotel for awhile and found that the men had departed when she returned.

NEWTON advised that she did tell her story to some Federal Bureau of Investigation Agents. She

was not willing to state where she contacted them, but she stated that they were more interested in her than in her story.

NEWTON stated she did not tell her story earlier because she feared the men whom she had observed plotting in the hotel lobby would kill her.

Rev. 5-22-64

FBI

Date: 12/14/70

Transmit the following in _____ (Type in plaintext or code)

Via AIRTEL _____ (Priority)

REC-65

TO: DIRECTOR, FBI (62-109060)

FROM: SAC, DALLAS (89-43)(P*)

SUBJECT: ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY,
DALLAS, TEXAS
NOVEMBER 22, 1963
MISCELLANEOUS - INFORMATION CONCERNING

OO: Dallas

Enclosed for the Bureau are ten copies of a Letterhead Memorandum reflecting information received from JOHN OSWALD, 6554 Turner Way, Dallas, Texas, who is in no way related to LEE HARVEY OSWALD. One copy of enclosed LHM is furnished New Orleans for its information in view of the fact that PETER GREGONIS, who has corresponded with JOHN OSWALD, is apparently promoting a book by District Attorney JIM GARRISON entitled "A Heritage of Stone".

854 CAMP STREET
NEW ORLEANS, LA.

AGENCY RAC(ISD)
BASIS FOR 12-29-70
NOT FOR 6/5 10-6
BY LW

1 - Secret Service
1 - CIA
1 - [illegible] 5716
1 - [illegible]

REC-85
62-109060-6976
12-30-70

ENCLOSURE

2 - Bureau (Enc. 10)
1 - New Orleans (89-69)(Enc. 1)
2 - Dallas
RPG:jls
(5)

SI-100

DEC 17 1970

CC TO: USA
3-29-72
MAY 29 1972

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

56 JAN 7 - 1971

U. S. GOVERNMENT PRINTING OFFICE: 1969 O - 348-000

UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No. 89-43

Dallas, Texas 75201
December 15, 1970

ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY,
DALLAS, TEXAS,
NOVEMBER 22, 1963

By letter dated November 24, 1970, John Oswald, 6554 Turner Way, Dallas, Texas, made available to the Dallas office of the Federal Bureau of Investigation the following typewritten communication received by Oswald from Peter Gregonis, 854 Camp Street, New Orleans, Louisiana, announcing the publication of District Attorney Jim Garrison's book entitled, "A Heritage of Stone". On the back of this typewritten communication was a handwritten letter dated November 20, 1970, addressed to Mr. Oswald, (John Oswald, 6554 Turner Way, Dallas, Texas), and signed "Peter Gregonis".

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

62-109060 - 6976

ENCLOSURE

SAYS ACCUSED SECRET U.S. GOVERNMENT GUILTY IN THE ASSASSINATION OF PRESIDENT KENNEDY SAYS GARRISON, NEW ORLEANS D.A., IN HIS BOOK

At long last, district attorney Jim Garrison's book on the Kennedy assassination has been published by the New York publishing firm of G. P. Putnam's & Sons. With a title fraught with ominous suggestions, "A HERITAGE OF STONE" makes a desperate plea to the youth of America to do something about the invisible government of our warfare state which thru the use of a domestic and international spy apparatus controls by manipulation the democratic processes of America. The book's dedication makes this urgent plea:

"To the Younger Generation.
May its members have the insight to see
the deceptions of the warfare state.
May they have the courage to stand
on the side of humanity."

Operating with a Mafia-like law of its own, this invisible government, composed of the military-intelligence-security networks, now determines the destiny of America with teams of spies and assassins ready to strike down any formidible foe of the warfare state with its imperialistic, expansionist foreign policy, as it has already eliminated President Kennedy, Dr. Martin Luther King and Robert Kennedy. Using bribery, it offered Jim Garrison a higher political office if he would stop his probe into Kennedy's murder. With the techniques of harassment, intimadation, bribery, murder and governmental lies, this secrete government convicted Lee Oswald of two murders in the eyes of the American public without a trial. Garrison positively exonerates Oswald with these words, "....There was no case against him (Oswald)* because he had not killed anyone." Governmental lies of an arrogant nature would come in a steady, unending succession says Garrison, "....A galaxy of lies would be constructed to pacify the American people."

The district attorney's most scathing attack is upon the millions of people that accepted the enormous lies of the government which made Oswald the scapegoat in Kennedy's murder. Such people are th gray mice whose silence kills. "....Hate and love of power could be dealt with were it not for the license they receive from the inertia of millions. The most dangerous of all humans are the gray mice; it is their silence that kills. It was the silence of the gray mice outside of the German concentration camps that killed the millions inside."

Yes, our youth must free us from this invisible totalitarian government. Yet, they too are ignorant, indifferent and easily bought off. And so since it is by example that we communicate best and inspire others out of their inertia; I, Peter Gregonis, do accept your invitation, Jim Garrison, to join you in your lonely fight. I will write, paint and picket until Lee Oswald is exonerated from all guilt and smears. From now on all of my letters will bear this message, "The C.I.A killed Kennedy.", on the envelope. Congressmen, newspapers and the youth on the college campusses shall hear about our Orwellian secrete government. I urge other brave souls to join in this fight until we have re-established our great heritage of "government of the people, by the people and for the people." Remember it is illegal to kill the President, and disorderly as hell.

Save our leaders and join the fight. You can write to me.

*insert

Peter Gregonis
854 Camp Street
New Orleans, La. 70130

Nov 30 1970

DEAR MR. OSWALD,

ON THE OTHER SIDE IS MY BOOK REVIEW OF JIM GARRISON'S BOOK ON THE KENNEDY ASSASSINATION. GARRISON & MANY OTHER PEOPLE ARE CONVINCED THAT LEE H. OSWALD WAS FRAMED; THAT HE IS COMPLETELY INNOCENT. I BELIEVE THE SAME AND IT IS FOR THIS REASON I AM TRYING TO LOCATE ALL OF LEE'S FAMILY SINCE IT IS IN THEIR INTEREST TO HAVE LEE ~~VINDICATED~~ EXONERATED. IN FACT, IT IS IN THE INTEREST OF ALL OSWALDS, RELATED OR NOT RELATED, TO HAVE THE NAME OF OSWALD CLEARED OF THOSE VILE SMEARS. PLEASE HELP ME LOCATE LEE'S FAMILY, IF YOU CAN. ALSO I WOULD LIKE TO GET IN TOUCH WITH AS MANY PEOPLE AS ARE INTERESTED IN SUCH A PROJECT.

MANY OF US ARE TRYING TO GET THE SUPPORT OF PEOPLE ON A NATION-WIDE SCALE SO THAT WE CAN PUT PRESSURE ON CONGRESS TO HAVE RELEASED THE EVIDENCE OF A CONSPIRACY WHICH IS NOW LOCKED AWAY IN GOVERNMENT VAULTS. SUCH EVIDENCE IS NECESSARY TO CLEAR THE OSWALD NAME.

PLEASE HELP.

SINCERELY

PETER EFTEDIUS

P.S. I HAVE BEGUN A CAMPAIGN IN NEW ORLEANS OF FINDING SUPPORT BY LEAFLETING THE COLLEGE CAMPUSES AND THE ENTIRE CITY.

ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY

On December 7, 1970, the receipt of the foregoing from John Oswald was personally acknowledged by a representative of the FBI, at which time John Oswald stated he is currently manager of Central Forwarding Company, 3200 Irving Boulevard, Dallas, Texas, and formerly resided at 5030 Wren Way, Dallas, Texas, immediately following the assassination of President John Fitzgerald Kennedy on November 22, 1963. He further advised that he was interviewed by representatives of the FBI immediately following the assassination investigation and reiterated that he was not in any way related to Lee Harvey Oswald and did not know him.

The files of the Dallas Office of the FBI reflect no previous information concerning Peter Gregonis. The files do reflect that John Oswald of 5030 Wren Way, Dallas, Texas, was interviewed subsequent to the assassination investigation.

Deputy Attorney General

December 21, 1970

Director, FBI

1 - Mr. O'Keefe
1 - Mr. Shroder
1 - Mr. Schutz
1 - Mr. C. D. Brennan
1 - Mr. Conrad

FREEDOM OF INFORMATION ACT -
ARNOLD WEINBERG

Your letter dated December 21, 1970, enclosing a letter from Mr. Arnold Weinberg, dated December 7, 1970, has been received. In his letter, Mr. Weinberg refers to a statement reportedly made by former Attorney General Ramsey Clark and requests information concerning any known statements furnished by the Bureau experts who performed the photographs and X-rays obtained during the autopsy of the late President Kennedy.

It appears that this matter involves a panel review of autopsy and photographic material of the type described above conducted in 1968 on the instructions of former Attorney General Clark. The files of this Bureau contain a copy of a document dated January 13, 1969, captioned "Statement of Dario Marshall," a true copy of which is enclosed for your information. Inasmuch as the material relating to this panel review is apparently contained in the Department's files, this Bureau is unable to make any comment on the statement reportedly made by former Attorney General Clark.

The original of Mr. Weinberg's letter to you is returned herewith for whatever action deemed appropriate by the Department.

Enclosures (2)

NOTE: See Page 2

JCK:jny
(8)

ENCLOSURE

MAILED 2
DEC 28 1970
COMM-FBI

55 JAN 11 1970

62-109060
NOT RECORDED
167 JAN 7 1971

JAN 7

ORIGINAL FILED IN

MAIL ROOM ☐ TELETYPE UNIT ☐

The Deputy Attorney General

NOTE: Harold Weisberg, a Frederick, Maryland, poultry farmer, has written several books highly critical of the Warren Commission report on the assassination of President Kennedy. He has also been critical of this Bureau. He has a suit pending against the Government for disallowing his claim under the Freedom of Information Act for information concerning the assassination. Weisberg is a former State Department employee who was discharged because of suspicion of his being a communist or having communist sympathies. He was later allowed to resign without prejudice. Weisberg has been the subject of numerous items of correspondence with the Department over his requests for information concerning the assassination. His current letter indicates he is aware of the findings by the Panel Review Board of 1968 concerning studies of X-rays and photographs of the late President Kennedy's body by four medical experts. He has challenged former Attorney General Clark's reported statement regarding sworn statements by medical examiners. It is possible these examiners did furnish sworn statements to the Department. However, limited information in our files does not indicate such statements were under oath. It does not appear we should furnish further comment concerning this matter. A copy of Weisberg's letter is being retained in our files.

TRUE COPY

January 16, 1969

Statement of Burke Marshall

Since October 1966 I have acted on behalf of the Kennedy family as their representative in dealing with all matters and inquiries regarding the Letter Agreement of October 29, 1966 and the X-ray and photograph material relating to the autopsy of the late President Kennedy.

Last year, the Attorney General informed me that he had ordered the 1968 Panel Review and that it had been conducted. He described the contents of the panel's report.

I concluded that the report simply confirmed the autopsy report and saw no reason to concern members of the Kennedy family, and did not do so.

I have advised the Attorney General, in response to an inquiry from him, that I see no basis to object to the release of the report and no reason to do so.

I have since informed Mrs. Onassis and Senator Edward Kennedy of this matter and they have both asked me to say that they will have no comment to make on the report or its release.

See 62-109060
Vol. 166 serial 6686
and encls. Bufile

TRUE COPY

62-109060-

Enclosure

UNITED STATES GOVERNMENT

Memorandum

DEPARTMENT OF JUSTICE

TO : Mr. J. Edgar Hoover
Director, F.B.I.

DATE: Dec. 21, 1970

FROM : Richard G. Kleindienst
Deputy Attorney General

SUBJECT: Freedom of Information Act: Harold Weisberg

Attached is a letter received from Mr. Harold Weisberg in which he comments concerning a statement by former Attorney General Ramsey Clark and requests certain information relating to the assassination of President Kennedy.

Would you please provide me with your comments on this request so I can reply to Mr. Weisberg.

Mr. Tolson
Mr. Sullivan
Mr. Mohr
Mr. Bishop
Mr. Rosen
Mr. Tamm
Mr. Casper
Mr. Callahan
Mr. Conrad
Mr. Felt
Mr. Gale
Mr. Rosen
Mr. Tavel
Mr. Walters
Mr. Soyars
Tele. Room
Miss Holmes
Miss Gandy

Original enclosure returned to D.A.G. per telephone call 1/5/71 JMV

ENCLOSURE

DEC 22 1970

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161 JAN 7 1971

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55 JAN 11 1970

Lillian Foreign Publishers
COMPACT PRESS, FREDERICK, MD. 21701
Code 301 / 3-

12/1/10

Mr. Richard Kleindienst
Deputy Attorney General
The Department of Justice
Washington, D.C.

Dear Mr. Kleindienst,

In an interview a week ago, of which I have a transcript, former Attorney General Clark, speaking of the pictures of the autopsy of President Kennedy, and of the X-rays, said:

> ...They've been examined by the foremost pathologists and neurologists in the United States and those men have given sworn statements that they support the findings of the Warren Commission...

This is news to me. I seek your confirmation, this having been a function of your Department under Mr. Clark. Will you please give me the names of any neurologists who performed such examinations? Were there any pathologists or other experts to make any such examinations aside from the panel convened by Mr. Clark? Did any of these give "sworn statements"?

My perplexity comes from the fact that none of the foregoing is disclosed in the reports of Mr. Clark's panel.

If there are any such statements, by neurologists or others than the members of this panel, or any such sworn statements regardless of by whom, I would like to request copies of all.

Of course, if Mr. Clark is in error, I would like to be informed of that also.

Sincerely,

Harold Weisberg

62-109060-

FLL

ENCLOSURE

UNITED STATES GOVERNMENT DEPARTMENT OF JUSTICE

Memorandum

TO : Mr. J. Edgar Hoover
Director, F.B.I.

DATE: Dec. 11, 1970

FROM : Richard G. Kleindienst
Deputy Attorney General

SUBJECT: Freedom of Information Act: Harold Weisberg

Attached is a copy of a request submitted by Mr. Harold Weisberg under the Freedom of Information Act for access to information relating to the assassination of President Kennedy.

It would be appreciated if you would give me your comments and recommendations regarding this request.

1 ENCLOSURE

91 DEC 14 1970

EX-101

LETTER TO DIG 12-16-70, Enclosed

62-109060

NOT RECORDED
JAN 6 1971

Lillian & Harold Weisberg
Coq d'Or Press ROUTE 8, FREDERICK, MD. 21701
Code 301/473-8186

12/2/70

Mr. Richard Kleindienst
Deputy Attorney General
The Department of Justice
Washington, D.C.

Dear Mr. Kleindienst,

In the course of my own investigations of the Kennedy assassination I have located and spoken to the owners of two amateur motion pictures of Lee Harvey Oswald being arrested in New Orleans, La., on August 9, 1963, and have evidence of a third person, possibly in an official capacity, also taking pictures of this and the picketing that preceded it. In all cases, the National Archives reports it does not have the film.

In the first two cases I have been informed that the film was given to the FBI, which returned edited copies. I seek copies of all this film, for which I enclose a DJ-115 form and check. Also, all relevant reports except as noted.

One case involves one John Martin, who voluntarily took his entire roll of vacation film to the Minneapolis office of the FBI. The National Archives informs me there exists no record in its files of either this Jack Martin or his film.

The second case involves the Doyle family, Mr. and Mrs. J. Pat and son Jim and their friends the Matt Wilsons, of Portland, Oregon. One report of this is in Warren Commission file CD6, page 444. Four others are CD30:6-9. None of these five reports says the film was given to the FBI or returned. Therefore, I assume there are other reports, including of comment or analysis of what the film shows. I would like any and all reports besides those above listed.

Also, various reports in my possession and official descriptions of the professional TV film (WDSU-TV and WWL-TV) in the National Archives disclose that more than the there-existing prints were made and shown by FBI agents for various purposes, including to establish the identity of a second man helping Oswald, one other than Charles Hall Steele, Jr. None of these pictures exist in the National Archives. Steele confirmed to me the existence of this third man and the wrapper of the copy of the WDSU footage at the National Archives says it shows this person, which it does not. Again there is the presumption of editing and the fact of the existence of still prints of this other man. I seek copies of these prints, all relevant reports and access to the unedited footage from WDSU, whose permission I have. WDSU permitted me to copy the footage returned to them. Johann Rush, the photographer, says he made 17 prints. The government seems to have obtained this footage on two different occasions, from the records I have.

The charges here will exceed the minimum. If you will inform me of the extra charge, I will send a check.

Sincerely,

Harold Weisberg

ENCLOSURE

62-109060

1 - Mr. C. C. Sullivan
1 - Mr. Rosen
1 - Mr. C. D. DeLoach

December 13, 1970

The Deputy Attorney General

62-109060

Director, FBI

1 - Mr. Schutz
1 - Mr. Whitson

Freedom of Information Act

Reference is made to your letter of December 11, 1970, and to its attachments which pertain to requests from Mr. Harold Weisberg for additional information concerning the assassination of President Kennedy.

Mr. Weisberg's requests regarding Oswald's return and investigation of the Dallas, Texas, police were handled expeditiously. When the results of research at FBI Headquarters and in the field have been analyzed, you will be furnished our comments.

RECEIVED
DEC 16 1970

Enclosure

Enc.

NOTE: The request received by the Department for information from FBI files is from Harold Weisberg, a man who has written several books critical of the Warren Commission, the FBI, Secret Service, police agencies and other branches of the Government relating to the assassination investigation. His writings have contained inaccuracies, falsehoods and deliberate slanting of facts to fit his purpose. He was one of ten employees fired by the State Department during 1947 because of suspicion of being a communist or having communistic sympathies. Later he was allowed to resign without prejudice, but was not restored to his former position. A check of Portland, Minneapolis, Dallas and New Orleans files is necessary to be certain we can give the Department complete information on Weisberg's request, which points to possible copying or editing of film rolls by the FBI. The films in which Weisberg is interested were taken at Dallas then by private citizens and also some professional TV film, from New Orleans.

MAIL ROOM ☐ TELETYPE UNIT ☐

ORIGINAL FILED

The Deputy Attorney General

December 31, 1970

1 - Mr. Sullivan
1 - Mr. Rosen
1 - Mr. Malley
1 - Mr. Shroder
1 - Mr. Hanlon
1 - Mr. C. D. Brennan

Director, FBI

62-109060-

FREEDOM OF INFORMATION ACT

Reference is made to your letter of December 11, 1970, and our reply of December 10, 1970, relating to requests from Mr. Harold Weisberg for information relative to the investigation of the assassination of President John F. Kennedy.

Mr. Weisberg's formal requests (DJ-118) ask for "Film and relevant reports of L. H. Oswald's literature distribution and arrest in New Orleans, 8/63, taken by Jim Doyle, John Martin, WDSU-TV and WWL-TV photographers and by an unknown person, prints of WDSU film made to show third man assisting Oswald, as further described in attached letter." In addition, Mr. Weisberg requests "All reports on, of or about and interviews with James Powell, Army Intelligence, who took a picture or pictures in Dealey Plaza at the time of the assassination of President Kennedy. . . I would also like to have access to any other such pictures."

MAILED 4
DEC 31 1970
FBI

The circumstances concerning the taking of pictures in New Orleans on August 9, 1963, by Jim Doyle, the 14-year-old son of J. Pat Doyle of Portland, Oregon, are set out in Commission Documents No. 6 and No. 30.

The film contained a few shots of Oswald at the time of his arrest, but it also contained personal pictures of the Doyle party. Doyle requested return of the film, and it was returned to him on March 10, 1964. This film was not furnished to the Commission because the arrest had been completely documented, the arresting officer had been interviewed, and other film was available regarding the incidents leading up to the arrest of Oswald.

NOTE: See Page 3

JFH:jny
(9)

Tolson
DeLoach
Felmont
Mohr
Bishop
Casper
Callahan
Conrad
Felt
Gale
Rosen
Sullivan
Tavel
Soyars
Trie. Room
Holmes
Gandy

MAIL ROOM ☐ TELETYPE UNIT ☐

51 JAN 11 1971

ORIGINAL FILED IN

The Deputy Attorney General

It is suggested that Mr. Weisberg obtain prints of the Doyle film from Mr. J. Pat Doyle, whose last known address was 1107 S. E. 123rd Avenue, Portland, Oregon.

Regarding the film which was exposed by John Martin, 1752 Iglehart, Apartment 4, St. Paul, Minnesota, and which Weisberg says is not in the Archives, it should be noted that the film appeared to show a group of Cubans on a street in New Orleans after Oswald's arrest on August 9, 1963. The film was viewed by the New Orleans Office of the FBI and was found to contain nothing of value to the investigation. The film was returned to Martin on January 23, 1964. No mention of Martin was made in reports to the Commission. It would appear that Weisberg should contact Martin if he desires prints of this film.

With respect to the photograph taken by James W. Powell, Special Agent, Region II, 112th MIHC, Army Intelligence Corps, Dallas, Texas, he was interviewed by a Special Agent of this Bureau at Dallas, Texas, on January 3, 1964. Mr. Powell stated that on November 22, 1963, he had taken a photograph of the Texas School Book Depository in Dallas. He advised that approximately thirty seconds following the shots fired at President Kennedy, he was approximately one-half block east of the intersection of Elm and Houston Streets. He then ran to the southeast corner of the intersection and, seeing some people pointing to the School Book Depository, took one photograph of the building utilizing a Minolta 35 millimeter camera. Mr. Powell turned this photograph over to his superior, Lieutenant Colonel E. E. Boyd, in the form of a Kodachrome transparency, who thereafter furnished it to the FBI at Dallas, Texas, on December 31, 1963.

The photograph depicted the corner sixth floor window of the Texas School Book Depository and boxes stacked in formation inside the window. The photograph was returned to Mr. Powell on January 20, 1964. Consequently, it would appear Mr. Weisberg should contact Mr. Powell if he desires prints of this film.

Mr. Weisberg has sought in the past to obtain from the National Archives prints of the professional television film prepared

The Deputy Attorney General

for WDSU-TV and WWL-TV in New Orleans. Mr. Marion Johnson of the National Archives stated on December 28, 1970, that he has told Weisberg that because of the copyright laws, Weisberg should get written authorization from these television stations before the National Archives can provide him with prints.

The details of the furnishing to the FBI of duplicate copies of these films are set out, together with the pertinent interviews, variously, in Commission Documents Nos. 6, 75, and 126. The films are enclosures to Commission Documents Nos. 595 and 596.

All of the information in the Commission Documents regarding the televisions films is available to the public, and there would appear to be no reason why Weisberg could not get prints from the film if he complies with the request of the National Archives that he present a written authorization from the television stations.

Mr. Weisberg's request regarding film exposed by an unknown person is too vague to research.

NOTE: The request received by the Department for information from FBI files is from Harold Weisberg, a man who has written several books critical of the Warren Commission, the FBI, Secret Service, police agencies, and other branches of the Government relating to the assassination investigation. His writings have contained inaccuracies, falsehoods, and deliberate slanting of facts to fit his purpose. He was one of ten employees fired by the State Department during 1947 because of suspicion of being a communist or having communistic sympathies. Later he was allowed to resign without prejudice, but was not restored to his former position. A check of Portland, Minneapolis, Dallas, and New Orleans files was necessary to be certain we can give the Department complete information on Weisberg's questions, which relate to possible cropping or editing of film rolls by the FBI. The films in which Weisberg is interested were taken at various times by private citizens and also some professional television film from New Orleans.

That set out above sets forth our response indicating the information Mr. Weisberg requests is available to him from other sources. Consequently, it is being suggested he seek this information from those sources.

FD-36 (Rev. 5-22-64)

FBI

Date: 12/24/70

Transmit the following in _____ (Type in plaintext or code)

Via AIRTEL _____ (Priority)

Mr. Sullivan
Mr. Mohr
Mr. Bishop
Mr. Brennan CD
Mr. Callahan
Mr. Casper
Mr. Conrad
Mr. Felt
Mr. Gale
Mr. Rosen
Mr. Tavel
Mr. Walters
Mr. Soyars
Tele. Room
Miss Holmes
Miss Gandy

TO: DIRECTOR, FBI (62-109060)

FROM: SAC, DALLAS (89-43) (P*)

SUBJECT: ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY,
DALLAS, TEXAS,
11/22/63
MISCELLANEOUS - INFORMATION CONCERNING

REC-62

For the information of the Bureau, the following previous communications concerning JEAN LOLLIS HILL are enumerated: Dallas airtel to Bureau dated 3/18/64; Dallas airtel to Bureau dated 8/24/65, entitled, "LEE HARVEY OSWALD"; Dallas airtel to Bureau dated 4/24/64; Dallas airtel to Bureau dated 4/26/66; and Dallas airtel to Bureau dated 8/9/68.

Enclosed for the Bureau are 10 copies and for Los Angeles one copy of an LHM reflecting information received by SA GASTON C. THOMPSON from JEAN LOLLIS HILL on 12/19/70. No action is being taken by Dallas, and the foregoing information is furnished the Bureau and Los Angeles for information only.

1 - Secret Service
1 - Thom. 5716

ENCLOSURE

2 - Bureau (Enc. 10)
1 - Los Angeles (Enc. 1) (Info)
2 - Dallas
- RPG:pkp
(5)

62-109060-6977

REC-62

ST-111

18 DEC 30 1970

Sent _____ M Per _____

Special Agent in Charge

U. S. GOVERNMENT PRINTING OFFICE : 1969 O - 349-520

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
200 Mercantile Continental Building
Dallas, Texas 75201
December 24, 1970

In Reply, Please Refer to
File No. 89-43

ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY,
DALLAS, TEXAS,
November 22, 1963

On Saturday, December 19, 1970, Mrs. Jean Lollis Hill, 9402 Bluff Creek, Dallas, Texas, telephone 381-2271, a teacher in the Dallas Independent School District, telephonically advised a Special Agent of the Dallas FBI Office the following information:

Mrs. Hill stated she was a witness to the assassination of President Kennedy on November 22, 1963.

Previous investigation in captioned matter reflects Mrs. Hill was present at Dealey Plaza when President Kennedy was assassinated and furnished information through interview that she heard more than three shots fired and she had observed a man on the "grassy knoll" above Dealey Plaza.

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

ENCLOSURE
62-109060-6911

ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY

Mrs. Hill advised that on December 5, 1970, an unknown male individual claiming to be a "struggling law student" in California telephonically contacted her stating he desired to talk with her about her observations and "thinking" concerning the assassination of President Kennedy. She stated she talked with this individual for several minutes thinking he was a "young law student writing some kind of paper." Subsequently, on several occasions an individual or individuals have attempted to contact her by telephone, apparently from the State of California. Her daughter has answered the telephone on these occasions, and she stated the individuals declined to leave a telephone number but indicated they would "call back".

On the evening of December 18, 1970, an individual attempted to reach Mrs. Hill by telephone on three different occasions but was unsuccessful in doing so because she was not at home. At approximately 1:30 PM on December 19, 1970, she received a telephone call from a male individual who at first stated he was the same person who had talked to her approximately two weeks before. It was obvious to Mrs. Hill that this was not the same individual and when she confronted him with this fact, he then admitted he was a different individual from the one who had contacted her on December 5, 1970.

The individual calling her on December 19, 1970, then identified himself as Gil Tosf, who claimed to be a producer and film maker in Van Nuys, California, telephone area code 213-783-1980. Tosf stated he was one of three individuals who was in the process of "doing a startling documentary" and wanted Mrs. Hill to come to Los Angeles, at their expense. The purpose of such visit was given as an interview with her for her "feelings and thoughts" about the assassination of President Kennedy. Tosf asked Mrs. Hill

Tosf.

to call him and give him a decision as to her making the trip to California. He told her she should call him at the above described telephone number and ask for "herself" (Mrs. Jean Hill) and he would then contact her by telephone.

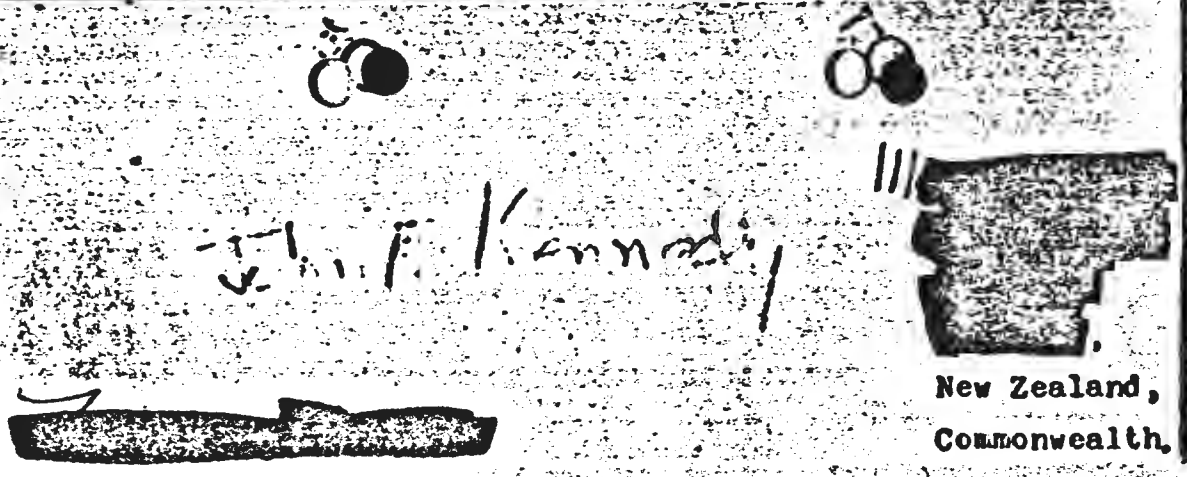
Mrs. Hill considered this to be highly unusual. During her conversation with Tosf he indicated he had once lived with Mark Lane. He suggested Mrs. Hill contact a Mary Ferrel, telephone 528-0716, Dallas, who could assure Mrs. Hill that it would be satisfactory for her to make a trip to Los Angeles. JCY

Mrs. Hill inquired of Tosf as to the identity of the other two individuals engaged in the endeavor with him, and he identified them as Dennis Roy and Fred Necomb. From remarks made by Tosf, Mrs. Hill gained the impression that Dennis Roy is the person who telephoned her on December 5, 1970. She also understood from Tosf that Fred Necomb visits Dallas occasionally "to see Mary Ferrel". JCY

Mrs. Hill inquired as to the reward she would receive for her services and they indicated they would pay her expenses and that she "ought to do this for the glory of herself", but did not offer her any money.

The files of the Dallas Office of the FBI contain no previous information concerning Gil Tosf, Dennis Roy, or Fred Necomb.

The files of the Dallas Office of the FBI reflect a Mary Ferrel, telephone 528-0716, Dallas, Texas, is possibly identical with a Mary Ferrell, 4406 Holland, Dallas, Texas, who reportedly has done work for District Attorney James Garrison of New Orleans on several occasions in the past.



Mr. Tolson
Mr. Sullivan
Mr. Bishop
Mr. Brennan C.D.
Mr. Callahan
Mr. Casper
Mr. Conrad
Mr. Felt
Mr. Gale
Mr. Rosen
Mr. Tavel
Mr. Walters
Mr. Sears
Tele. Room
Miss Holmes
Miss Gandy

Dear Mr. Hoover

c/o Secretary Helen W. Gandy,

I have receieved your letter in which you are stateting that President Kennedy, according to the report to the Warren Commission by President Johnson juridiction, was assassinated by Lee Harvey Oswald, but I am sure, being friend of the President Kennedy and Rober Kennedy and Edward M Kennedy, that Lee Harvay Oswald was not alone in the assassination and that there was conspiracy to kill my friend President Kennedy. I have written the story about President Kennedy and me who have had known him since t war and who have had handshake in Paris Embassy in 1954 with President Kennedy and I have sent the true story to the President Nixon becouse I am, as I said, sure that there was conspiracy to kill President Kennedy and his brother Robert Kennedy and the same conspiracy, while Edward M Kennedy, was working for me to come to United States, had coused the accident in the car. I cannot, Sir, now explain to you everything in this letter, but I will try in shor to tell you what I have written and what is in possession of President Nixon and Edward M Kennedy. I have met President Kennedy after the war in Dubrovnik on advise of the Securuty Intelligence o Yugoslavia and we had had a talk about the war and peace and about the drugs that you have in America. He had become my good friend and he had told me that your Intelligence Agency thinks that I am Tito that I was during the war. (Your Intelligence Agency had asked me to look after the life of President Kennedy here in New Zealand

EX-110 REC 27 62-109060-6978

3 JAN 7 1971

EX-PROC

DEC 28 1970

57 JAN 12 1971

[redacted] New Zealand

NOT DETACH

Appears Mental

[redacted] who refuses to believe the validity of the Warren Commission Report, claims he is a friend of all the Kennedy family. He wants to help investigate the assassination of President Kennedy, Senator Robert Kennedy and Senator Edward Kennedy. [redacted] states that President Kennedy have visited him when he lived in Yugoslavia. [redacted] wrote along similar lines in Nov., 1970, and his letter was acknowledged by outgoing dated 12-2-70, over Miss Gandy's signature.

See 62-109060-6776

FILE 1(4

and you have misspelled my name which is [redacted] and I have written books ANGELOS CASTLE and THE KREMLIN that your CENTRAL INTTELLIGENCE AGENCY knows about when they have asked me to guard President Kennedy life [MY name ins not [redacted] as you have written to me] Would you please check my letter again and get the story from the President Nixon and Edward M. Kennedy the Senator to whom I have sent the whole story how conspiracy had come about in 1960 when I was involved in the accident with drugs and the car of President Kennedy.) I indeed was Tito during the war and that was my name in Yugoslavia. President Kennedy knew that I have signed with Josip Broz Tito the capitulation of Italian Forces in Split Yugoslavia and he expected me to stay in Yugoslavia but as there was the treat of onother war we have diceded to work for the peace I and President Kennedy. That was the reason why I have left Yugoslavia and I have worked for United Nations in Trieste and I was friend also with "amershold. When I have come to Paris in 1954 I have been received in your Embassy by President Kennedy and he had given me the handshake saying to me that he will always remain my friend. I have gone to New Zealand and there I was asked by the Her majesty Goverment Constamble to work in detecting the drugs crimes in New Zealand and Commonwealth. While I was working without any payment I was many time druged but then President Kennedy had come to see me with his brothers and he had told only to me, that there is the man, who is closest to him, and, who is organising his assassination. He had told that to me becouse he knew that I am his true friend. Your Central Intelligence Agency Director had asked me also to work for them to safeguard president life. I have told him that I will do my best to safeguard my friednds president life. To make the story short in this letter I have been druged in 1960 and placed in the car where was Martin Borman and another man and they have told me that "they are going to kill President Kennedy ...." Then I was proclaimed "insane " as if I have taken the car while the men of the Communists Party of New Zealand have placed me in the car as the Secretary of the Mao Tce Tung Communists Party had told me that they will give me the ride in the yellow car of President Kenned[redacted]

Then they have not killed President Kennedy in 1269x 1960 becouse they have had me on the run as they have infiltrated the police and I have suffered the consequences since then, but later on as I was in Queen Street Auckland Lee Harway Oswald had come from Moscow and he had the talk with me about Moscow and President Kennedy that I cannot now write about but you can acertain the truth by asking the police at that time who have asked me what Lee Harway Oswald had talked with me. From the talk I know that Moscow did not have any reason to assassinate President Kennedy and that it could be only those who are set on the warpath with America like Moa Tce Tung Communists Party of xxxxxxxxxx New Zealand and Martin Borman's men of neo nazzizm. Iaber on I was told that President Kennedy is going to be assassinated in Dullas and I have written to him and I wanted to get the visa to come to United States but I was not allowed to come, like now, that I am wanting to come to clear the name of Edward M Kennedy and to point out t the men who have been in conspiracy. I have spoken also to Rubie here in New Zealand and he had told me, should I try to say anything about the assassination of my friend President Kennedy, that I will suffer more then death that he had suffered. Becouse therevwas a strange thing about Martin Borman and the car in 1960 I am writing to you hoping that you will help me to uncover the men that were in the conspiracy to kill my friend President Kennedy and Rober Kennedy just as well as my friend Senator Edward M Kennedy whom you may ask about me and who was working for me to come to United States. I am continuing the investigation and I do hope Mr. Hoover that you will give me the chance to speak to you in United States. Your Council Spencer Philip here in Auckland had told me that once President give the hand to a man it always stay with him and you can be syre that I shall always remmeber President Kennedy who was my friend and man of peace and good will toward all men on Earth. It is imperative that you contact Senator Edward M Kennedy and that you read what I have written about the assassination conspiracy that I am sure has been organised by a man close to President Kennedy as he had told me himself here in Auckland when he had come to see me before the assassination. Jaquelline Kennedy and Madmosile Ginnete Perran knows that I am writing and speaking the truth.

I am writing this letter in a hurry to get to the Post Office but I shall write you further letter as soon as I will have time. I have asked Interpol to give me credential to come to United States but I think that you will accept my services in the investigation of President Kennnedy death and his brother death and accident of the car of Senator M Edward M Kennedy that I am offering to you withouth any payments as I have always revenged friend of President Kennedy, America and I remmeber President Lincoln and the greatnes of American way of life where freedom and justice is considered the highest moral qualities.

Sincerely Yours,

[redacted]

P.S. I am sorry that this letter cannot explain to you all that I know about Conspiracy just as Warren Commission report cannot ocertain that Lee Harvey Oswald was alone on the Conspiracy but Should you help me to come to United States to see you personally I will Tell you all that I even couldn't write about in the story The President's Friend.

[redacted]

GENERAL SERVICES ADMINISTRATION

National Archives and Records Service

Washington, D.C. 20408

December 10, 1970

Honorable J. Edgar Hoover
Director
Federal Bureau of Investigation
Washington, D.C. 20535

Dear Mr. Hoover:

As you are probably aware, the Archivist of the United States is responsible for arranging successive reviews of the records of the President's Commission on the Assassination of President Kennedy. We are now proceeding with such a review. In this connection, a letter of August 28, 1970 was received from Mr. Thomas J. Kelley, Assistant Director, United States Secret Service, in which he states: "Concerning Secret Service Control No. 193, since the information contained therein is that received for the most part by the FBI, should the FBI declassify it, it could be then made available."

Enclosed is a copy of the document, Secret Service Control No. 193, which is also designated as Commission Document 498, dated November 27, 1963. A review of this document by your agency and an indication as to whether it can be made available to the public would be appreciated.

Sincerely,

James B. Rhoads

JAMES B. RHOADS
Archivist of the United States

Enclosure

1 - ENCLOSURE

Mr. Tolson
Mr. Sullivan
Mr. Mohr
Mr. Bishop
Mr. Bowman
Mr. Callahan
Mr. Casper
Mr. Conrad
Mr. Felt
Mr. Gale
Mr. Rosen
Mr. Tavel
Mr. Walters
Mr. Soyars
Tele. Room
Miss Holmes
Miss Gandy

EXP PROC

REC-54 62-109060-6979

DEC 11 1970

JAN 12 1971

Keep Freedom in Your Future With U.S. Savings Bonds

THIS SERIAL HAS BEEN REFERRED TO ANOTHER AGENCY AND IS IN A PENDING STATUS:

FILE NO. 62-109060

SERIAL NO. 6979

PAGE NO. 2-5

NO. OF PAGES 4

SECTION NO.

174

USSS

REFERRAL

AA
SY
EX-112

REC-5462-109060-6979

December 28, 1970

1 - Mr. Schutz

Honorable James B. Rhoads
Archivist of the United States
National Archives and Records Service
General Services Administration
18th and F Streets, Northwest
Washington, D. C. 20408

Dear Mr. Rhoads:

This is in reference to your inquiry of December 10, 1970, to which was attached a memorandum by the United States Secret Service dated November 27, 1963, dealing with one Homer S. Echevarria.

A review of this material indicates it pertained to a matter investigated by the United States Secret Service. No investigation was conducted by the FBI with respect to the allegations concerning Echevarria. Review of FBI records indicates the source who furnished the information concerning Echevarria had been contacted previously by the FBI in an unrelated matter. Our records do not indicate, however, that Special Agent Walter Rogers on November 27, 1963, advised Special Agents of the United States Secret Service the identity of the informant was not known to the FBI, nor does Special Agent Rogers presently recall making such a statement.

Under the circumstances, it would appear the decision as to whether this material should be made available to the public should rest with the United States Secret Service. I am taking the liberty of furnishing a copy of this communication to the Director, United States Secret Service.

Sincerely yours,

J. Edgar Hoover

1 - Director, United States Secret Service

HAS:erg

SEE NOTE PAGE TWO

MAILED 4
DEC 28 1970
COMM-FBI

Tolson
Sullivan
Mohr
Bishop
Brennan, C.D.
Callahan
Casper
Conrad
Felt
Gale
Rosen
Tavel
Walters
Soyars
Tele. Room
Holmes
Gandy

54 JAN 4 1971

MAIL ROOM ☐ TELETYPE UNIT ☐

XEROX
JAN 12 1971

NOTE: The Secret Service memorandum deals with an allegation that Echevarria was involved with an anti-Castro group of Chicago Cubans and allegedly made a statement to a Secret Service source on 11-21-63, the day before President Kennedy's assassination, that the group would "take care of Kennedy." Chicago Agents met the source accompanied by Secret Service Agents on 11-26-63. The source was recognized by one of our Agents as an individual who had provided previous information to the FBI regarding Theft matters. The source had no information which would tie in this allegation to the President Kennedy assassination and accordingly, the Secret Service was advised that we had no further interest.

We have checked with Chicago and reviewed copies of all reports and memoranda written by Chicago and there is no indication Secret Service Agents were ever advised by Special Agent Rogers that the FBI did not know the identity of the source.

Special Agent Rogers, currently assigned to the Phoenix Office, was contacted and advised he vaguely recalls the incident but had no recollection whatsoever of advising the Secret Service that the FBI did not know the identity of the informant.

The delay encountered in replying to this correspondence was necessitated by lengthy file reviews at the Seat of Government and in Chicago.

UNITED STATES GOVERNMENT

Memorandum

DEPARTMENT OF JUSTICE

TO : Mr. J. Edgar Hoover
Director, F.B.I.

DATE: Dec. 21, 1970

FROM : Richard G. Kleindienst
Deputy Attorney General

SUBJECT: Freedom of Information Act: Request of Paul L. Hoch

Attached is a copy of three requests submitted by Mr. Paul L. Hoch under the Freedom of Information Act for information relating to the assassination of President Kennedy.

It would be appreciated if you would review these requests and send me your comments and recommendations.

EXP. PROC. DEC 22 1970 - Exec. Asst. Dep. Ass't. Dir. Inspection 1-4-71

1 JAN 6 1971

62-109060

NOT RECORDED
JAN 6 1971

ORIGINAL FILED IN

1 - M. A. Schutz
1 - L. Whitson

The Deputy Attorney General
62-109060-
Director, FBI

January 4, 1971

FREEDOM OF INFORMATION ACT:
REQUEST OF PAUL L. KOCH

Reference is made to your letter of December 21, 1970, and to its attachments which pertain to requests from Mr. Paul L. Koch for additional information relating to the assassination of President Kennedy.

Mr. Koch, in his request for access (DJ-110), first requests "Any FBI interviews of Edward Scandll Butler relating to Lee Harvey Oswald or to the assassination of President Kennedy (other than CD 231, page 13)." In an accompanying letter to Mr. E. Richards Kolapp, Mr. Koch states that he is confident that the details of Mr. Butler's "rather extensive contact with Lee Harvey Oswald on August 21, 1963, were set forth in another report, either before or after the assassination." Mr. Koch states he is asking for such reports and for any other FBI reports of interviews of Mr. Butler before or after the assassination, concerning Oswald, the assassination or related matters.

MAILED 6
JAN 4 1971
COMM-FBI

For your information, there are no other reports of interviews of Mr. Butler. It would appear that Mr. Koch is interested in what was said on August 21, 1963, between Mr. Butler and Lee Harvey Oswald. Commission Document No. 231, on page 13, shows that Mr. Butler stated that his only contact with Oswald was on the radio program on the evening of August 21, 1963.

The transcript of that August 21, 1963, broadcast over station WDSU, New Orleans, is set out verbatim in Commission Document No. 897, pages 822-833. The August 21, 1963, confrontation at station WDSU is treated in the Warren Commission report as well as in the supplemental volumes of hearings.

It is suggested that Mr. Koch be referred to these items and particularly Commission Document No. 897.

LW:pld
(5)

SEE NOTE PAGE FOUR

MAIL ROOM ☐ TELETYPE UNIT ☐

59 JAN 7 1971

ORIGINAL FILED IN

The Deputy Attorney General

Mr. Koch also requests "FBI records relating to information obtained from Mr. Carlos Quiroga" both before the assassination or after the assassination relating "in any way to Lee Harvey Oswald, his possible associates, or the Fair Play for Cuba Committee." Mr. Koch requests reports on these topics whether or not they were given to the Warren Commission and whether or not Mr. Quiroga's identity is concealed.

Carlos Quiroga is an anti-Castro Cuban living in New Orleans who came in contact with Oswald in the summer of 1963 when Oswald was distributing Fair Play for Cuba Committee handbills there. Following the assassination of President Kennedy, Mr. Quiroga was interviewed on November 27, 1963, for what he knew of Oswald. He told us that about mid-August, 1963, he met Oswald in an effort to determine Oswald's pro-Cuban activities and later offered to furnish the New Orleans Police Department with information about Oswald, but received no encouragement from the police. Mr. Quiroga requested the interview with us be kept confidential because of the situation of his parents in Cuba.

The results of our interview with Mr. Quiroga were given to the Warren Commission but because of his specific request, the report of the interview was included in that material withheld from the public.

As a result of your inquiry of February 3, 1970, concerning a request from Mr. Koch for access to those pages of the report dealing with the interview of Quiroga, which he correctly believed related to that interview, Mr. Quiroga was asked if he still desired the interview be kept confidential.

As you were advised in our letter of February 19, 1970, Mr. Quiroga had no objection to his identity or to the information which he had furnished in November, 1963, being disclosed to anyone.

Mr. Koch's inquiry goes far beyond the Warren Commission documents.

The Deputy Attorney General

On numerous occasions since early 1967, Mr. Quiroga has volunteered to our New Orleans Office information relating to attempts by District Attorney Jim Garrison and others to have him testify regarding matters relating to Garrison's various theories of assassination conspiracy. It is believed that the reports covering the information volunteered by Mr. Quiroga concerning the machinations of Mr. Garrison and his staff, copies of which have been furnished to the Department, should be withheld from Mr. Koch and the public.

It is suggested that Mr. Koch's request for information concerning Mr. Quiroga be denied on the same general bases as those set out in my letter of October 12, 1970, to the Assistant Attorney General, Office of Legal Counsel, regarding Appeals to Attorney General From Denials of Access to FBI Records Under the Freedom of Information Act. That dealt with a request of one Emory L. Brown, Jr., for access to FBI records regarding the assassination of President Kennedy. The files concerning the assassination are not closed and, therefore, would appear to be exempt from disclosure under the Freedom of Information Act. Furthermore, the right to privacy of any person, in this instance Mr. Quiroga, should be a defense to Mr. Koch's request. Also, to open the files of Quiroga's disclosure to Koch and to the public could only serve to subject Mr. Quiroga to harassment by those of whom he has complained.

Mr. Koch finally requests disclosure of the contents of certain pages from FBI reports which are Warren Commission Documents.

He specifically requests Commission Document No. 7, pages 505-6, 615-7, 603 and 770. Your attention is invited to the communication from this Bureau dated October 1, 1970, concerning the five-year review of Warren Commission files. That communication listed additional documents and pages of documents which could be made available to the public. Included in that availability list are all of the pages of Commission Document No. 7 requested by Mr. Koch. Mr. Koch also requested certain pages from Commission Document No. 76. In our communication of October 1, 1970, the entire Document No. 76 was recommended for release to the public.

The Deputy Attorney General

Mr. Koch also requested Commission Document No. 75, pages 400 and 402, as well as page 2 of Commission Document No. 653. According to the October 1, 1970, communication, these pages are not available to the public, and it is the recommendation of this Bureau that Mr. Koch's request for the pages in Commission Documents numbered 75 and 653 be denied.

NOTE:

Paul L. Koch is a Berkeley, California, "graduate student" who has been making inquiries about the assassination of President Kennedy over the past five years. He is the man who wrote the Attorney General on 9/19/69 alleging "some sort of hidden relationship between" Lee Harvey Oswald and the FBI. The Director has noted "I dislike the humoring of a character like Koch who is obviously a 'smear' artist." With regard to the Butler information, Butler has corresponded with the Bureau in the past, particularly when he was connected with the Information Counsel of the Americas in New Orleans. He was a vociferous anti-communist. He testified before the Senate Internal Security Subcommittee in Executive Session shortly after the assassination of President Kennedy and on November 26, 1963, stopped by the Bureau and left two tapes from station WDSU in New Orleans relating to Oswald's appearances at that station. These tapes did not go into the Warren Commission record, however, because the Bureau utilized instead that public transcript provided by the station itself.

The communication of October 12, 1970, to the Assistant Attorney General, Office of Legal Counsel, listed four bases for denial of Brown's request for the identities of alleged suspects in the assassination. The principle there is the same as that involved in a disclosure of details concerning Mr. Quiroga.

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA FPMR (41 CFR) 101-11.6

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI . (62-109060)

DATE: 1/12/71

FROM : SAC, BALTIMORE (89-30) - RUC -

SUBJECT: ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY
Dallas, Texas
November 22, 1963
MISCELLANEOUS - INFORMATION CONCERNING
OO: Dallas

RE: Bureau airtel to Baltimore dated 12/10/70.

Enclosed for the Bureau are three bullets in containers lettered A, B, and C and a photostatic copy of a portion of a plat made by a Dallas Surveyor.

Mr. HAROLD WEISBERG, Route 8, Frederick, Md., made available the enclosures for whatever study or examination the FBI may wish to conduct in the event they may be of value in investigation of captioned matter. Mr. WEISBERG requested that if the enclosed bullets are not of any value either evidentiary or otherwise that they be returned to him so he may return them to the original source, whom he declined to identify. He said, however, that if the FBI should desire to keep these bullets that they make photographs of them and furnish him a copy for himself and the original source in this matter.

He described the bullets as follows:

Bullet in container labeled C is similar to the bullet which allegedly killed President KENNEDY and is described as a 6.5 Mannlicher - Carcanno.

EXP. PROC.

(3) - Bureau (Enclosures 4) (Registered Mail)
1 - Dallas (Info) (100-10461)
1 - Baltimore
RRL:hpo
(5)

REC-49 62-109060-6980

COPIES DESTROYED

21 JAN 17 1973

EX-112

12 JAN 18 1971

1 JAN 21 1971

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

BA 89-30

C329-C329

The bullet labeled A is one which was found in a planter west of the north reflecting pool in Dealey Plaza, Dallas, Texas on October 4, 1970 in the morning. Location of the planter is shown on enclosed plat and is described as the southern most planter and the bullet was located in the south western quadret of the planter.

C330-C330

Bullet labeled B is a comparison bullet which is the same type bullet as the bullet labeled A and is the type described as a .30 caliber M-2 type.

A friend of Mr. WEISBERG who is familiar with different types of firearms advised him that the bullet labeled A which contains four grooves in a right twist was possibly fired from a Russian Model 1940 Tokerav Rifle. The original source of enclosed bulletin labeled A is, according to Mr. WEISBERG, is not a Federal Government employee although he is employed by a Government Agency and if it becomes absolutely necessary, Mr. WEISBERG will furnish his name provided the original source gives him permission to do so. This original source, the individual who found the bullet in Dealey Plaza, advised Mr. WEISBERG that he weighed the bullet on a Lyman Chaus Powder Measuring Scale and it weighed between 149.7 and 149.8 grains. The bullet labeled B weighed exactly 152 grams on the same scale. Mr. WEISBERG source performed no chemical tests on any of the enclosures, but he did note that the nose of the bullet labeled A does contain a small "nick".

Mr. WEISBERG and his source believed that the bullet found in the planter at Dealey Plaza is a recent "plant" otherwise it certainly would have been found before this. He, WEISBERG, believes that there is no possibility that this bullet, labeled A, could have been fired from either the Texas Book Depository or the "grassy knoll", which was also mentioned as a possible point from which the shots which killed President KENNEDY were fired, and still land at the location where a source found same.

LL

BA 89-30

The planter in which the bullet labeled A was located was there on the day of the assassination as shown on the enclosed plat which, according to Mr. WEISBERG, was made in either December, 1963 or April, 1964. He said that, regarding the enclosed plat, everything over and above the plane survey was later added by RICHARD SPRAGUE who, in Texas Mr. WEISBERG's opinion, has said and published some very irresponsible statements concerning the captioned assassination.

Mr. WEISBERG further advised that another friend of his, who owmes many firearms sent him the bullet labeled C which is allegedly the same type which killed President KENNEDY since this friend did not know that Mr. WEISBERG has his own rifle and bullets with which he has made his own duplicates of the bullet which killed President KENNEDY and better known as Warren Commission Exhibit #399.

5-22-64

FBI

Date: 1/11/71

Transmit the following in _____
(Type in plaintext or code)

AIRTEL AIRMAIL
(Priority)

TO: Director, FBI (62-109060)

FROM: SAC, New Orleans (89-69) (P)

ASSASSINATION OF PRESIDENT JOHN FITZGERALD KENNEDY, DALLAS, TEXAS, NOVEMBER 22, 1963
MISC. - INFORMATION CONCERNING
OO: Dallas

Enclosed for the Bureau is a newspaper article appearing in the Times-Picayune concerning above-captioned matter.

One copy each of this newspaper article is enclosed for Dallas and Miami.

5 ENCLOSURE

2 - Bureau (Enc. 1)
1 - Dallas (89-43) (Enc. 1)
1 - Miami (Enc. 1)
1 - New Orleans
ECW:bs
(5)

REC-6 62-109060-6984

22 JAN 13 1971

EX-112

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

FD-350 (Rev. 7-16-63)

(Mount Clipping in Space Below)

APPEAL TAKEN IN SHAW CASE

High Court Review of Charge Asked

Attorneys for Clay L. Shaw petitioned the Louisiana Supreme Court Thursday to review a decision forcing Shaw to trial for perjury.

The court was asked to consider Criminal District Court Judge Malcolm V. O'Hara's denial of a motion to dismiss the charges.

Shaw has been charged with lying under oath before a jury in the case involving an alleged conspiracy to kill President John F. Kennedy.

District Attorney Jim Garrison charged Shaw lied on the witness stand when he testified he never knew Lee Harvey Oswald or David W. Ferrie.

Attorneys for Shaw say the jury that acquitted Shaw in effect ruled his testimony was valid.

The case has been delayed because of Garrison's poor health. He has been called by the defense as a witness in the case.

(Indicate page, name of newspaper, city and state.)

PAGE 5

SECTION 1

THE TIMES-PICAYUNE

NEW ORLEANS, LA.

Date: 1-8-71

Edition:

Author:

Editor: GEORGE W. HEALY JR.

Title: ASSASSINATION OF PRESIDENT JOHN F. KENNEDY, TEXAS

Character: 11-22-63

or

Classification: 89-69

Submitting Office: N. O., LA.

☐ Being Investigated

SEARCHED ____ INDEXED ____
SERIALIZED ____ FILED ____
JAN 11 1971
FBI—NEW ORLEANS

65-100106D-6981

ENCLOSURE

(Ed. 4-26-63)

UNITED STATES GOVERNMENT

Memorandum

DEPARTMENT OF JUSTICE

TO : Mr. J. Edgar Hoover, Director
Federal Bureau of Investigation

DATE: January 22, 1971

FROM : Richard G. Kleindienst
Deputy Attorney General

SUBJECT: Freedom of Information Act

Mr. Tolson
Mr. Sullivan
Mr. Mohr
Mr. Bishop
Mr. Callahan
Mr. Casper
Mr. Conrad
Mr. Felt
Mr. Gale
Mr. Rosen
Mr. Tavel
Mr. Walters
Mr. Sears
Tele. Room
Miss Holmes
Miss Gandy

Attached is a letter from Mr. Harold Weisberg requesting access to lists of documents which he says have been declassified.

Would you please give me your comments regarding this request.

Declassification of Presidential - John F. Kennedy

62-109060
NOT RECORDED
FEB 1 1971

EX-102
JAN 25 1971

1 - Mr. [illegible]

1-28-71 HAND

1 ENCLOSURE

54 FEB 8 1971

11 JAN 29 1971

SIX

Lillian & Harold Weisberg

Coq d'Or Press ROUTE 8, FREDERICK, MD. 21701

Code 301/473-8186

1/4/71

Mr. Richard Kleindienst
Deputy Attorney General
Department of Justice,
Washington, D.C.

Dear Mr. Kleindienst,

All of us researching the assassination of President, I am certain, welcome the declassification of some previously withheld documents and pages of documents and hope these include all that can properly be made available.

The two lists sent me by the National Archives are largely meaningless. Neither the numbers listed nor anything available with which they can be compared can yield any meaningful information about what has been released. Thus it is necessary to go to the Archives and examine each page separately before one can know whether it is of interest or help to him. This is a burden for both the researcher and the Archives.

I write to ask if you have and can make available lists of what your Department has released. I presume you maintained lists of what you restricted and of those you released and that this will present no serious problem to you.

In an effort to simplify this for you, let me describe the two lists sent me. One is headed "List of Numbered Documents of the Warren Commission Made Available for Research by the 1970 Review of the Commission's Numbered Document File." There then follows 71 numbers, with nothing more except in three cases, where the withholding of pages is indicated in three cases. May I ask if there were declassifications in any other than the "Numbered Document File"? If so, I have not been so informed and would appreciate a list of these declassifications also. The second list has two columns, one headed "COMMISSION DOCUMENT NUMBER", the other "PAGES MADE AVAILABLE". There follows 45 numbers of documents originating with your Department and the declassified page numbers, no more. Here also it would seem that your Department might well have a more meaningful and useful list for its own and non-secret purposes that it will, I hope, let me have.

62-109060—

Thanks very much for anything you can do.

ENCLOSURE

Sincerely,

ENCLOSU

Harold

19

THIS SERIAL HAS BEEN REFERRED TO ANOTHER AGENCY AND IS IN A PENDING STATUS:

FILE NO. 62-109060

SERIAL NO. Not Recorded after 6981

PAGE NO. 1-7

NO. OF PAGES 7

SECTION NO.

174

CIA

REFERRAL

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA FPMR (41 CFR) 101-11.6

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI (62-109060) DATE: 1/18/71

FROM : SAC, LOS ANGELES (89-75)(RUC)

SUBJECT: ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY,
DALLAS, TEXAS, 11/22/63
MISCELLANEOUS - INFORMATION CONCERNING

The Bureau is aware of information previously furnished the Los Angeles Office by EDGAR EUGENE BRADLEY, 12208 Emelita Street, North Hollywood, California.

On 1/8/71, BRADLEY again contacted the FBI Office at Los Angeles and provided SA JAMES MC CAULEY with the following information:

BRADLEY stated that one of his informants has advised him that a person named HAROLD WEISBERG told the informant he is writing another book concerning the assassination of JOHN FITZGERALD KENNEDY and that this book will place the blame for the assassination on the FBI. WEISBERG also advised the informant he received the information placing blame on the FBI from a high official in the Secret Service. The identity of the official was not provided BRADLEY's informant.

BRADLEY stated that WEISBERG lives in a small town south of Baltimore, Maryland, and that WEISBERG has been closely associated with New Orleans District Attorney JAMES GARRISON. BRADLEY is of the opinion that WEISBERG has written several articles and possibly even a book concerning the KENNEDY assassination.

BRADLEY stated that the Congressional Record of 9/29/68 contains a speech by Congressman WILLIS of Louisiana identifying WEISBERG as having been removed in 1938 from the La Follette Civil Liberties Commission for making unauthorized disclosures to the "Daily Worker." BRADLEY stated that WEISBERG was one of nine men fired from the U. S. State

(2) - Bureau
1 - Los Angeles
JJR:elc
(3)

SI-114
62-109060-6982
REC-39

MEMO ROSEN TO [illegible] FEBRUARY 11, 1971

2-2-71

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

Department in 1947 for having association with the Soviets and that on 12/16/66, WEISBERG had allegedly appeared before a Trotskyite group to discuss his book.

BRADLEY stated he desired to bring the above information to the attention of the Bureau because of his respect for the Bureau. BRADLEY stated that he does not know if there is any truth concerning the above information but he felt the FBI should be informed of the above. He stated he has not read any of WEISBERG's previous articles or book as he felt WEISBERG was not worthy of belief.

1-Office, 7133
1-Mr. Rosen
January 20, 1971
1-Mr. Schutz
1-Mr. Frazier

SAC, Baltimore (62-30)

Director, FBI (62-109060)

ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY
DALLAS, TEXAS
NOVEMBER 22, 1963

CO:DALLAS

Reference Baltimore letter to Bureau dated January 12, 1971, and Bureau airtel to Baltimore dated December 10, 1970.

Reference Baltimore letter submitted three bullets to the FBI Laboratory which were received by the Baltimore office from Harold Weisberg, Route 8, Frederick, Maryland 21701, along with a portion of a plat of Dealey Plaza, Dallas, Texas. Enclosed are these three bullets marked A, B and C and the plat. These items should be returned personally to Mr. Weisberg. He should be advised that nothing was found to associate the Caliber .30 M2 (Item A) bullet from the planter in Dealey Plaza with any evidence received in connection with the assassination of President Kennedy.

MAILED 9
JAN 20 1971
COMM-FBI

The following is for the information of Baltimore and Dallas and is not to be furnished to Weisberg.

The bullets submitted are described as:

REC 85 62-109060-6983

C329 Bullet allegedly found in planter in Dealey Plaza, Dallas, Texas, on October 4, 1970

JAN 22 1971

C330 Caliber .30 M2 (.30-06 Springfield) U. S. Military bullet received ~~with C329~~

C331 Caliber 6.5mm Italian Military (6.5mm Mannlicher-Carcano) bullet received with CE329

Enclosures (4)

2 - Dallas - (info) - (100-10461)

58 JAN 22 1971

RAF:bp (5)

MAIL ROOM TELETYPE UNIT

Letter to SAC, Baltimore
Re: ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY
DALLAS, TEXAS
NOVEMBER 22, 1963
62-109060

C329 is a Caliber .30 M2 U. S. Military type copper-jacketed lead-cored bullet, weighing 149.6 grains, which was fired from a barrel rifled with four lands and grooves, right twist. The physical characteristics of the rifling impressions in C329 are like those produced by .30 caliber (.30-06 Springfield) U. S. Military riflesand some models of Winchester, Remington, High Standard and Sears, Roebuck and Company rifles and possibly other weapons. A .30-06 Springfield Russian Military rifle was manufactured but this rifle produces different rifling impressions from those in C329. A few dents and nicks are present in the nose of this bullet, apparently made when it was fired into dirt or sand. Extensive corrosion on the surface of the bullet has obliterated all individual microscopic characteristics of the type needed for identification with a particular rifle.

Specimen C330 is a Caliber .30 M2 copper-jacketed lead-cored U. S. Military type bullet which weighs 151.8 grains. This bullet is identical in shape and construction to C329, but is unfired.

No bullets like C329 or C330 were recovered in connection with the assassination of President Kennedy. The only bullets (or cartridge cases) recovered in the assassination were caliber 6.5mm (approximately .26") Italian Military bullets commonly referred to as 6.5mm Mannlicher-Carcano. Specimen C331 is this caliber bullet but is different from the copper-jacketed assassination bullets in that C331 is a copper-plated steel-jacketed bullet. Specimen C331 has been fired and is slightly distorted but the cause of the distortion is not known. It is possible an attempt was made to duplicate Warren Commission Exhibit CE399, found on a stretcher in Parkland Hospital after the assassination. Such duplication attempts would be meaningless since CE399 is copper-jacketed whereas C331 is steel-jacketed.

NOTE: The bullets, C329, C330 and C331 were received from Harold Weisberg, a man who has written several books critical of the Warren Commission, the FBI, Secret Service, Police Agencies and other branches of the government relating to the assassination investigation.

Weisberg alleges the bullet C329, was recently found in the area where President Kennedy was killed. He believes the bullet is a "Plant" but offers it for any examination we care to make. By letter dated December 10, 1970, the Baltimore Office was requested to obtain these bullets. The complete results of the Laboratory examination are not being furnished to Weisberg because of his background and because we do not want him to be in a position to state that the FBI was cooperating with him in this matter. Weisberg has sued the government for disallowing his claim under the Freedom of Information Act for information concerning the assassination. Therefore the results of the Laboratory examination are being furnished to Baltimore and Dallas by letter rather than by Laboratory report and the examiners notes are being retained in the Laboratory Files with other similar material.

Copies of photographs of bullet C329, C330, C331 returned to Lab. Files. JFK

FD-36 (Rev. 5-22-64)

FBI

Date: 1/19/71

Transmit the following in _____ (Type in plaintext or code)

Via AIRTEL AIRMAIL (Priority)

Mr. Sullivan
Mr. Tavel
Mr. Cullahan
Mr. Casper
Mr. Conrad
Mr. Felt
Mr. Gale
Mr. Rosen
Mr. Tavel
Mr. Walters
Mr. Sears
Tele. Room
Miss Holmes
Miss Gandy

TO: Director, FBI (62-109060)

FROM: SAC, New Orleans (89-69) (P)

ASSASSINATION OF PRESIDENT JOHN FITZGERALD KENNEDY, DALLAS, TEXAS, NOVEMBER 22, 1963
MISC. - INFORMATION CONCERNING
OO: DALLAS

Enclosed for the Bureau are three newspaper articles appearing in New Orleans newspapers concerning above-captioned matter.

One copy each of these newspaper articles is enclosed for Dallas and Miami.

62-109060-698

(2) - Bureau (Enc. 3)
1 - Dallas (89-43) (Enc. 3)
1 - Miami (Enc. 3)
1 - New Orleans
ECW:bs
(5)

3- ENCLOSURE

REC-10

56 FEB-1 1971

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

FD-350 (Rev. 7-16-63)

(Mount Clipping in Space Below)

COURT REFUSES SHAW MOTIONS

Perjury Trial to Remain Scheduled Monday

The Louisiana Supreme Court Wednesday refused to delay the perjury trial of Clay L. Shaw scheduled to begin Monday.

At the time the court declined to sign a stay order it also refused to review the Dec. 16 ruling that results in the trial.

Both rulings were made in six to one votes, with Associate Justice Walter B. Hamlin dissenting.

Criminal District Court Judge Malcolm V. O'Hara on Dec. 16 denied a motion to quash the perjury charges instituted by District Attorney Jim Garrison.

Garrison charged Shaw with testifying falsely in his trial on conspiracy to murder President John F. Kennedy that he never knew David W. Ferrie and Lee Harvey Oswald, alleged by the district attorney to be co-conspirators.

Shaw had barely been acquitted by a jury on March 1, 1969 which deliberated less than one hour, when on the next Monday the perjury charges were filed.

The writs applied for in the Louisiana Supreme Court asserted the trial judge erred in limiting witnesses for Shaw, making it impossible to establish that Shaw's veracity had been adjudicated in the previous trial.

The petition also contended an error was made in Judge O'Hara's refusal to allow questioning of Garrison and his former assistant, James Alcock, at length as to the theory of the prosecution of Shaw in the conspiracy trial as related to the perjury charges.

Shaw's lawyers believe that when the jury found him not guilty of conspiracy, it prevented prosecution for perjury by finding his testimony valid.

The Supreme Court declared the application does not warrant its jurisdiction, and in the event of a conviction, Shaw has adequate remedy to appeal.

It was signed by Chief Justice E. Howard McCaleb and Associate Justices Joe W. Sanders, Frank W. Summers, Mack E. Barham, Albert Tate Jr. and John A. Dixon Jr.

In his dissent, Justice Hamlin said he is of the opinion that because of the showing made and the exceptional circumstances of this prosecution, the application should be granted.

Justice Hamlin also was in favor of issuing a stay order.

(Indicate page, name of newspaper, city and state.)

PAGE 1

SECTION 1

THE TIMES PICAYUNE

NEW ORLEANS, LA.

Date: 1-14-71

Edition:

Author:

Editor: GEORGE W. HEALY JR.

Title: COURT REFUSES SHAW MOTIONS

Character:

or

Classification: 89-10

Submitting Office: N.O., LA.

☐ Being Investigated

SEARCHED ____ INDEXED ____

SERIALIZED ____ FILED ____

JAN 15 1971

FBI — NEW ORLEANS

(1) 6981-

FD-350 (Rev. 7-16-62)

(Mount Clipping in Space Below)

Federal Court Plea Expected In Shaw Case

Attorneys for Clay L. Shaw are expected to ask the federal courts to halt prosecution of perjury charges in the wake of a decision by the Louisiana Supreme Court that failed to delay his scheduled trial Monday.

The state Supreme Court yesterday not only did not issue a stay order but also rejected motions for a review of Criminal District Court Judge Malcolm V. O'Hara's Dec. 16 decision refusing to quash the charges.

District Attorney Jim Garrison brought perjury charges against Shaw shortly after the former managing director of the International Trade Mart was acquitted for conspiring to murder President John F. Kennedy.

Garrison charges that Shaw lied during his trial when he said he never knew either Lee Harvey Oswald or David W. Ferrie, both alleged to be co-conspirators.

Shaw's two attorneys, F. Irving Dymond and Edward F. Wegmann, refused to comment on Shaw's next court moves this morning.

In applying to the Supreme Court for writ's, Shaw's attorneys contended that the trial judge erred in limiting witnesses for Shaw, making it impossible to establish that Shaw's veracity had been adjudicated in the previous trial.

They also contended that Judge O'Hara was in error when he refused to allow questioning of Garrison and his former assistant James Alcock as to the theory of the prosecution of Shaw in the conspiracy trial as related to the perjury charges.

Shaw's lawyers argue that when the jury acquitted Shaw of conspiracy they found his testimony valid, thus preventing prosecution for perjury.

The high court decision, on a six to one vote declared the application did not warrant its jurisdiction and in the event of a conviction, Shaw had adequate remedy of appeal.

(Indicate page, name of newspaper, city and state.)

PAGE 2

THE STATES ITEM

NEW ORLEANS, LA.

Date: 1-14-71

Edition:

Author: WALTER G. COHAN

Editor:

Title: FEDERAL COURT PLEA EXPECTED IN SHAW CASE

Character:

or

Classification: 89-69

Submitting Office: N.O., LA.

☐ Being Investigated

SEARCHED ____ INDEXED ____

SERIALIZED ____ FILED ____

JAN 15 1971

FBI — NEW ORLEANS

62-109060-6184

ENCLOSURE

FD-350 (Rev. 7-16-63)

(Mount Clipping in Space Below)

Clay Shaw Perjury Trial Delay Expected

Attorneys for Clay L. Shaw, who won acquittal last March on charges of plotting to kill President John F. Kennedy, were expected to ask for, and get, a delay in today's scheduled perjury trial.

The defense was expected to seek either a postponement or a change of venue when the 57-year-old retired New Orleans businessman appears in criminal district court to answer charges that he lied to the jury during the conspiracy trial.

DISTRICT ATTY. Jim Garrison contends Shaw lied when he testified that he did not know or ever saw Lee Harvey Oswald or David Ferrie, both named as co-conspirators.

Shaw was found not guilty March 1, 1969, after a 34-day-long trial before then Criminal District Court Judge Edward A. Haggerty Jr. The jury deliberated only one hour before returning the unanimous innocent verdict.

The perjury charges came two days after the acquittal and Shaw's lawyers insist that they are ridiculous and vindictive. They contend that the jury in the conspiracy trial, by its verdict, ruled that Shaw's testimony was truthful.

THE WARREN Commission has concluded that Oswald, a one-time New Orleans resident, was the lone assassin who shot the President with a rifle in Dallas on Nov. 22, 1963. Oswald later was killed in a Dallas police station.

Ferrie, an eccentric former airline pilot, died of a brain hemorrhage Feb. 22, 1967, early in Garrison's probe.

Garrison conends that the Warren Commission report is a fraud and that the death plot was hatched in New Orleans by Shaw, Ferrie and Oswald at a meeting in Ferrie's apartment here.

Shaw has filed a $5 million damage suit against Garrison and three men who helped finance the district attorney's investigation. No date has been set for that trial.

(Indicate page, name of newspaper, city and state.)

PAGE 1

SECTION 1

THE STATES-ITEM

NEW ORLEANS, LA.

Date: 1-18-71
Edition: COMET
Author: ALTER G. COVAN
Editor: ASSASSINATION OF PRESIDENT JOHN F. KENNEDY, TEXAS 11-22-63
Character:
or
Classification: 89-69
Submitting Office: N. O., LA.

☐ Being Investigated

62-109060-6984

ENCLOSURE

D-38 (Rev. 3-22-66)

FBI

Date: 1/25/71

Transmit the following in _____ (Type in plaintext or code)

Via AIRTEL AIRMAIL (Priority)

TO: Director, FBI (62-109060)

FROM: SAC, New Orleans (89-69) (P)

ASSASSINATION OF PRESIDENT JOHN FITZGERALD KENNEDY, DALLAS, TEXAS, 11/22/63
MISC. - INFORMATION CONCERNING
OO: DALLAS

Enclosed for the Bureau are three newspaper articles appearing in New Orleans newspapers concerning above-captioned matter.

One copy each of these newspaper articles is enclosed for Dallas and Miami.

ST-100
REC-52 62-109060-6985
CLOSURE

2 - Bureau (Enc. 3)
1 - Dallas (89-43)(Enc. 3)
1 - Miami (Enc. 3)
1 - New Orleans
ECW:bs
(5)

11 JAN 27 1971

Sent _____ M Per _____

Special Agent in Charge

FD-350 (Rev. 7-16-63)

(Mount Clipping in Space Below)

Judge Blocks Shaw Prosecution

A federal judge today issued a temporary order barring District Attorney Jim Garrison from prosecuting Clay L. Shaw for perjury and ordered the DA's office to show cause why the order should not be made permanent.

Shaw's trial, which had been scheduled to start tomorrow, was thus delayed at least until after Monday, the date set for a hearing on the request for a permanent restraining order.

U.S. District Judge Herbert W. Christenberry issued the temporary order today after a closed one-hour conference between Shaw's attorneys and representatives of the DA's office.

GARRISON CHARGED Shaw with perjury on the basis of his testimony on his own behalf during his 1969 trial on a charge of conspiring to kill President John F. Kennedy. Shaw was acquitted on that charge.

In issuing the order, Judge Christenberry noted that the Fifth U.S. Circuit Court of Appeals yesterday instructed him to hear the matter and said after considering the pleas of Shaw's attorneys, "It appears to the court that immediate and irreparable injury, loss and damage will result to the plaintiff if a temporary restraining order is not issued."

The judge ordered Garrison to take no further action to prosecute Shaw until representatives of his office appear Monday to show cause why the order should not be made permanent.

ATTORNEYS FOR both sides declined comment. First Assistant DA John Volz said Garrison may have a comment later. Garrison himself did not participate in today's conference.

Shaw's trial had been scheduled to start yesterday in Criminal District Court before Judge Malcolm V. O'Hara but O'Hara granted a two-day delay in order to give the federal court time to act.

Garrison charges Shaw lied when he said he never knew accused presidential assassin Lee Harvey Oswald or David W. Ferrie, whom Garrison named as a coconspirator.

(Indicate page, name of newspaper, city and state.)

PAGE 1

SECTION 1

THE STATES-ITEM

NEW ORLEANS, LA.

Date: 1-19-71
Edition: FLASH
Author:
Editor: WALTER G. COWAN
Title: ASSASSINATION OF PRESIDENT JOHN F. KENNEDY, TEXAS
Character: 11-22-63
or
Classification: 89-69
Submitting Office: N. O., LA.

☐ Being Investigated

ENCLOSURE

62-109060-6115

FD-350 (Rev. 7-16-63)

(Mount Clipping in Space Below)

Shaw Perjury Trial In Hands of Judge

The fate of the Clay Shaw perjury trial was in the hands of a federal judge today.

U.S. District Court Judge Herbert W. Christenberry set a mid-morning meeting with attorneys for both sides and Criminal District Court Judge Malcolm V. O'Hara to consider a Shaw motion to quash the charge.

The trial, scheduled for yesterday in O'Hara's court, was postponed until tomorrow pending the outcome of today's proceedings.

DISTRICT ATTORNEY Jim Garrison filed the perjury charge in 1969, two days after Shaw was acquitted of charges he conspired to murder President John F. Kennedy.

Garrison charged Shaw lied when he testified in the conspiracy trial that he never knew Lee Harvey Oswald or David W. Ferrie, named by Garrison as co-conspirators.

Oswald, named by the Warren Commission as the slayer of Kennedy, was shot to death in Dallas two days after the Kennedy assassination. He had lived for a time in New Orleans.

Ferrie, a former airline pilot, died here in February, 1967, before Shaw was indicted on the conspiracy charge.

SHAW WAS CLEARED on March 1, 1969, after a 34-day trial before then Criminal District Court Judge Edward A. Haggerty Jr. The verdict, reached after less than a hour of deliberation, was unanimous.

The perjury trial was postponed yesterday shortly before the case was to open.

In their federal court motion to quash the charge Shaw's attorneys charged the perjury charge is "vindictive and ridiculous."

THEY SAID Garrison has established a financial interest in the continued prosecution of Shaw by the recent publication of his book, "Heritage of Stone," which deals with the assassination.

The petition further charges Garrison's key witness against Shaw, Perry Raymond Russo, discredited the perjury charge by testifying the alleged plot to kill Kennedy he says he overheard was only a "bull session" and that such a conversation would not constitute perjury under Louisiana law.

(Indicate page, name of newspaper, city and state.)

PAGE 3

SECTION 1

THE STATES-ITEM

NEW ORLEANS, LA.

Date: 1-19-71
Edition: COVET
Author:
Editor: WALTER G. COWAN
Title: ASSASSINATION OF PRESIDENT JOHN F. KENNEDY, TEXAS
Character: 11-22-63
or
Classification: 89-69
Submitting Office: N. O., LA.

☐ Being Investigated

ENCLOSURE
62-109060

-695

FD-350 (Rev. 7-16-63)

(Mount Clipping in Space Below)

Temporary Order Blocks Clay Shaw Perjury Trial

Federal District Judge Herbert W. Christenberry issued a temporary restraining order Tuesday blocking District Attorney Jim Garrison from prosecuting Clay L. Shaw on a perjury charge. . . . . .

At the same time, Judge Christenberry ordered that Garrison show cause Monday at 10 a.m., why a preliminary injunction should not be issued enjoining the prosecution.

Shaw's trial was originally set for Monday but was delayed until Wednesday by Judge Malcolm V. O'Hara of Criminal District Court when Shaw's attorneys filed the suit for the restraining order and injunction in federal court Monday morning.

Judge Christenberry signed the temporary order after conferring for about an hour Tuesday morning with attorneys for Shaw and representatives of the district attorney's office.

Shaw was represented at the conference by F. Irvin Dymond, Edward F. Wegmann, William J. Wegmann and Salvatore Panzeca.

Garrison did not attend the conference but was represented by First Assistant D.A. John Volz, and assistants William Alford and Andrew J. Sciambra.

In the order Judge Christenberry noted that he refused to issue a restraining order when the suit was filed Monday because the parties could not be heard at that time.

Attorneys for Shaw then consulted with a three-judge panel of the U.S. Fifth Circuit Court of Appeals which sent the matter back to Judge Christenberry for a hearing.

Judge Christenberry held that immediate and irreparable injury, loss and damage will result to Shaw if a temporary order were not issued prior to a hearing on the injunction.

Garrison is seeking to prosecute Shaw on a charge that Shaw lied when he said that he never knew Lee Harvey Oswald, accused assassin of President John F. Kennedy, and David W. Ferrie, named a co-conspirator in Garrison's prosecution of Shaw for allegedly conspiring to kill the president.

The perjury case arose out of Shaw's testimony during the 1969 trial on the conspiracy charge.

(Indicate page, name of newspaper, city and state.)

PAGE 1

SECTION 1

THE TIMES-PICAYUNE

NEW ORLEANS, LA.

Date: 1-20-71

Edition:

Author:

Editor: GEORGE W. HEALY JR.

Title: ASSASSINATION OF PRESIDENT JOHN F. KENNEDY, TEXAS

Character: 11-22-63

or

Classification: 89-69

Submitting Office: N.O., LA.

☐ Being Investigated

ENCLOSURE

62-109060

-695

The Deputy Attorney General

January 28, 1971

Director, FBI

1 - Mr. Schutz

ASSASSINATION OF
PRESIDENT JOHN F. KENNEDY
NOVEMBER 22, 1963
DALLAS, TEXAS

This is in reply to your inquiry received January 25, 1971, captioned "Freedom of Information Act," which concerns a request from Harold Weisberg for access to documents relating to captioned matter which have been declassified by the National Archives.

In his letter to the Department dated January 4, 1971, Weisberg indicated it would be necessary for him to examine each page of the documents so declassified by the National Archives in order to determine whether it would be of interest to him. He advised this would constitute a burden upon him.

The question posed by Weisberg in this instance is not one of obtaining information under the Freedom of Information Act, but merely requesting the Federal Government to conduct research into matters which are readily available to him. Although Weisberg indicated a review of this material may impose a burden upon him, since the material is available to him it should be reviewed by Weisberg.

1 - Assistant Attorney General
Criminal Division

1 - Dallas (100-10461) (Info)

NOTE: See Page 2

MAILED 8
JAN 28 1971
COMM-FBI

HAS:jny
(6)

ST-117

REC-38
62-109066-6986
28 JAN 29 1971

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Tele. Room
Holmes
Gandy

MAIL ROOM TELETYPE UNIT

January 25, 1971

1 - Mr. Schutz

Airtel

REC-65 62-109060-6987

SI-11Z To: SAC Newark ENC 7
Dallas ENC 45

From: Director, FBI

ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY
DALLAS, TEXAS
NOVEMBER 22, 1963
OO: DALLAS

Attached for the information and assistance of both offices is a copy of a letter from the U. S. Marshal, District of New Jersey, dated 1/13/71, to which was enclosed a copy of summons and complaint with respect to an action filed by one Emory L. Brown, Jr., of West Long Branch, New Jersey.

Additional correspondence dealing with this matter is likewise being furnished the Newark Office. This data has previously been furnished Dallas and is self-explanatory.

MAILED 4
JAN 26 1971
COMM-FBI

Newark should immediately contact the United States Attorney's Office and determine what action is intended. Advise Bureau of results.

~~Enclosure~~

HAS:bkc
(6)

NOTE: Since the summer of 1970, we have engaged in correspondence with the Department relative to a request by Emory L. Brown, Jr., who wants access to FBI records under the Freedom of Information Act regarding the assassination of President Kennedy. The Department is aware of all aspects of this case and in our most recent letter of 10/12/70, we continued to maintain our position that Brown's request be denied since it would in effect require the Government to

CONTINUED - OVER

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JAN 29 1971
MAIL ROOM
TELETYPE UNIT

ENCLOSURE COPY FILED IN

NOTE - CONTINUED:

conduct research for private person.

We are now in receipt of a copy of a summons and complaint addressed to the Attorney General and the Director. Full facts are being furnished Newark with instructions to contact the United States Attorney's Office and advise.

ALSO ENC. TO NK:

1. LETTER TO OFFICE OF LEGAL COUNSEL, 10-12-70.
2. LETTER TO BUREAU FROM OFFICE OF LEGAL COUNSEL, 10-2-70
3. LETTER FROM DAG TO OFFICE OF LEGAL COUNSEL, 9-23-70
4. LETTER FROM BROWN TO AG, 9-8-70.
5. LETTER FROM DAG TO BROWN, 8-6-70
6. LETTER FROM BUREAU TO DAG, 8-3-70.

ADDRESS REPLY TO UNITED STATES MARSHAL AND REFER TO INITIALS AND NUMBER

DEPARTMENT OF JUSTICE

OFFICE OF

UNITED STATES MARSHAL
DISTRICT OF NEW JERSEY
NEWARK 07101

January 13, 1971

J. Edgar Hoover, Director
Federal Bureau of Investigation
Washington, D. C. 20535

Re: Emory L. Brown, Jr.

vs John Mitchell, et als.
Civil 44-71

Dear Sir:

Enclosed is one (1) copy of Summons and Complaint relative to the above captioned matter which is being served upon you by CERTIFIED MAIL.

Very truly yours,

ANTHONY T. CRESKI
UNITED STATES MARSHAL

Encl.

1 ENCLOSURE

62-109060-6987

1 XEROX
JAN 29 1971

2 JAN 19 1971

CORRESPONDENCE

SUMMONS IN A CIVIL ACTION

CIV. 1 (5-60)
(Formerly D.C. Form No. 9 Rev. (5-60))

United States District Court

FOR THE

DISTRICT OF NEW JERSEY

CIVIL ACTION FILE NO. 44-72

EMORY L. BROWN, JR.,

Plaintiff

v.

JOHN MITCHELL, Attorney General of the United States, THE JUSTICE DEPARTMENT OF THE UNITED STATES and J. EDGAR HOOVER, Director of the Federal Bureau of Investigation,

Defendants

SUMMONS

To the above named Defendants :

62-109060-6111

ENCLOSURE

ORIGINAL FILED
JAN 12 1971
ANGELO V. [illegible] CLERK

CHAMLIN AND SCHOTTLAND
268 Norwood Avenue
West Long Branch, New Jersey 07764
Attorneys for Plaintiff
201-229-3200

UNITED STATES DISTRICT COURT

DISTRICT OF NEW JERSEY

EMORY L. BROWN, JR.,	:	
Plaintiff,	:	
-vs-	:	COMPLAINT
JOHN MITCHELL, Attorney General of the United States, THE JUSTICE DEPARTMENT OF THE UNITED STATES and J. EDGAR HOOVER, Director of the Federal Bureau of Investigation,	:	
Defendants.	:	

I

PRELIMINARY STATEMENT

This is an action by plaintiff to compel the defendants to produce for plaintiff and allow the inspection of varic reports and investigations concerning the assassination of President John F. Kennedy, which assassination occurred on

November 22, 1963. This action has been instituted pursuant to the "Freedom of Information Act" United States Code Title 5, Sections 550, et seq. and the First Amendmant of the United States Constitution.

II

JURISDICTION

1. This Court has jurisdiction pursuant to United States Code Title 5, Section 552 (a) (3), which section in part states: "on complaint, the District Court of United States in th district in which the complainant resides or has his principal place of business . . . has jurisdiction to enjoin the agency from withholding any records and to order the production of any agency records improperly withheld from the complainant. In suc a case the court shall determine the matter de novo and the burden is on the agency to sustain its action . . . except as to cases the court considers of greater importance, proceeding before the District Court, as authorized by this paragraph, take precedence on the docket over all other causes and shall be assigned for hearing and trial at the earliest practicable date and expedited in every way."

2. This Court has jurisdiction pursuant to United States Code Title 28, Section 1361, which section states: "District Courts shall have original jurisdiction of any action

in the nature of mandamus to compel an officer or employee of the United States or any agency thereof, to perform a duty owed to the plaintiff."

3. This Court has jurisdiction pursuant to the First Amendment of the United States Constitution.

III

STATEMENT OF FACTS

1. Plaintiff, Emory L. Brown, Jr., resides at Route #4, Box #82, Squankum Road, Farmingdale, County of Monmouth and State of New Jersey, and a citizen of the United States.

2. Defendant, John Mitchell is the Attorney General of the United States and is the person charged with and entrusted with supervision of the actions of the Department of Justice.

3. The Department of Justice is an agency of the executive branch of the United States Government and which, through the Federal Bureau of Investigation, a subdivision of said Department of Justice, is charged with investigation of federal crimes and related matters. J. Edgar Hoover is the director of the Federal Bureau of Investigation.

4. On or about November 22, 1963, President John F. Kennedy was assassinated in the City of Dallas, State of Texas.

5. Immediately following said assassination, an investigation was conducted by the Federal Bureau of Investigati

local and state police forces within the State of Texas and other federal agencies and investigatory bodies.

6. On November 29, 1963 President Lyndon B. Johnson appointed a commission to examine the evidence and to ascertain, evaluate and report upon the facts relating to the assassination o President John F. Kennedy and the subsequent violent death of the man charged with the assassination. This Commission became known the "Warren Commission". See Executive Order 11130.

7. Thereafter, said commission issued a set of twent six (26) volumes, commonly referred to as the "Warren Report" whic volumes allegedly contained, and/or referred to, all materials and investigations concerning the assassination of President John F. Kennedy, and reached certain conclusions supporting a hypothesis th Lee Harvey Oswald, on his own volition, and acting alone, shot the President.

8. Plaintiff, after detailed analysis and study of all twenty-six (26) volumes of the aforementioned "Warren Report", and a study of the reports of investigations and materials contain in the National Archives, which reports and materials were referre to in the "Warren Report", and after independantly investigating t case in Dallas, Texas and Washington, D.C., has found certain area in which the investigation into the identity and exoneration of certain persons were not adequately shown and reported.

9. Accordingly the plaintiff has endeavored to obtain the following informations

(a) The Warren Commission Exhibits #1974-68 and 705 refer to a motor vehicle bearing Texas license plate number PE3435 as being in the area where Officer Tippett was shot. Information was not furnished as to the name of the owner and operator of the vehicle, and as to whether or not the owner and operator of said motor vehicle had any role in the death of Officer Tippett. Plaintiff has previously requested, and again requests, the right to inspect any such reports that have been gathered, obtained and/or filed by or with the Justice Departme or any subdivision thereof including, but not limited to, the Federal Bureau of Investigation, concerning this phase of the investigation.

(b) The Warren Commission Exhibit #1974-82 refers a vehicle bearing Texas license plate number HS 1877 as having been identified in connection with the assassination of Preside John F. Kennedy. Information was not furnished as to the name of the owner and operator of the vehide, and as to whether or n the owner and/or operator of said motor vehicle had any role in the death of President John F. Kennedy. Plaintiff has previous requested, and again requests, the right to inspect any such reports that have been gathered, obtained and/or filed by or wi

the Justice Department or any subdivision thereof including, but not limited to, the Federal Bureau of Investigation, concerning this phase of the investigation.

(c) The Warren Commission Exhibits #1974-99, 108, 109, 112, 113 and Exhibit #705-36, 39, 40 and 41 refer to a vehicle bearing license plate number 3E9087 in connection with a person suspected of the assassination. Information was not furnished as to the name of the owner and operator of the vehicl and as to whether or not the owner, and/or operator of said motor vehicle had any role in the death of President John F. Kennedy. Plaintiff has previously requested, and again requests, the righ to inspect any such reports that have been gathered, obtained and/or filed by or with the Justice Department or any subdivisio thereof, including, but not limited to, the Federal Bureau of Investigation, concerning this phase of the investigation.

(d) The Warren Commission Exhibits #705-39, 40 and 1974-106 and 109 contain references to a conversation with perso taking place at 5818 Belmont Northeast, Dallas, Texas and two vehicles containing license plates numbered RB8950 and NX3171. Information was not furnished as to the name of the owners and operators of the vehicles and as to whether or not the owners and/or operators of said motor vehicles had any role in the deat of President John F. Kennedy. Plaintiff has previously requested and again requests, the right to inspect any such reports that

have been gathered, obtained and/or filed by or with the Justi Department or any subdivision thereof including, but not limit to, the Federal Bureau of Investigation, concerning this phase of the investigation.

(e) The Warren Commission Exhibit #705 makes ment of a 1967 Chevrolet sedan bearing license plate number NA 4445 in connection with information received following the assassin Information was not furnished as to the name of the owner and operator of said vehicle and as to whether or not the owner and/or operator of said motor vehicle had any role in the deat of President John F. Kennedy. Plaintiff has previously reques and again requests, the right to inspect any such reports that have been gathered, obtained and/or filed by or with the Justi Department or any subdivision thereof including, but not limit to, the Federal Bureau of Investigation, concerning this phase of the investigation.

(f) The Warren Commission Exhibit #705-16 makes reference to a 1963 Chevrolet Impala bearing Georgia license plate number 52J1033. Information was not furnished as to the name of the owner and operator of said vehicle and as to whet or not the owner and/or operator of said motor vehicle had any role in the death of President John F. Kennedy. Plaintiff has previously requested, and again requests, the right to inspect any such reports that have been gathered, obtained and/or file

by or with the Justice Department or any subdivision thereof including, but not limited to, the Federal Bureau of Investigati concerning this phase of the investigation.

(g) The Warren Commission Volume 19, page 540 and Decker Exhibit 5323 contains reference to three men arrested by the Dallas Police Department at the railroad tracks immediately west of the Texas book depository shortly after the assassinatio Plaintiff has requested and has been denied information concerni the identity of the three men and copies of the reports and inve gation and follow up with reference to the disposition of the matter involving the three men.

(h) Volume 19, page 532 of the Warren Commission report and Decker Exhibit 5323 makes reference to a man by the name of McFadin. Plaintiff has requested, and again requests, a photograph of McFadin and a copy of the investigation and follow up with reference to the statement contained at page 501.

10. Since 1967 the plaintiff has repeatedly been in contact with the Attorney General of the United States and vario Deputy Attorney Generals, the Federal Bureau of Investigation, t Chief of Police, Dallas Texas, the National Archives, the Attorn General of the State of Texas and the Texas Department of Public Safety in an endeavor to obtain and/or examine the aforementione evidence.

11. Plaintiff, on March 16, 1970, and on several subsequent dates, contacted the Honorable James J. Howard, a member of the House of Representatives, Congress of the United States, Third District, New Jersey and notwithstanding Congressman Howard's intervention on behalf of plaintiff, was refused the requested information.

12. Pursuant to the Freedom of Information Act, United States Code Title 5, Section 550, et.seq., specifically Section 552, this section provides that each agency shall make available to the public, information as follows: The informati referred to in the above paragraphs.

13. Despite numerous attempts by plaintiff to obta said information, defendants have failed and refused to allow the plaintiff to inspect said information or to provide said information in any way to the plaintiff. By letter dated Decem 16, 1970, the Attorney General invoked a privilege against revealing the information requested.

14. Said actions on the part of the defendants represent a violation of the aforementioned Freedom of Informat Act, and an improper invocation of the privilege.

15. Said actions on the part of defendants represe a violation of the First Amendment Right of Freedom of Speech,

Assembly and Press and represent an arbitrary and capricious attempt to deny the plaintiff his right to know all the circumstances surrounding the death of plaintiff's President, John F. Kennedy.

WHEREFORE the plaintiff demands that this Court ent judgment:

(a) Ordering defendants to produce for plaintiff's inspection the aforesaid documents, investigation and/or report

(b) To allow the plaintiff to copy any and all of t said documents, investigations and/or reports;

(c) Attorneys' fees;

(d) Costs of suit.

CHAMLIN AND SCHOTTLAND
Attorneys for Plaintiff

BY: _____
GEORGE M. CHAMLIN

BY: _____
MICHAEL D. SCHOTTLAND

Federal Bureau of Investigation,

Defendants.

Pursuant to Rule 11 of the General Rules of this Court I have allocated the above-entitled matter to TRENTON.

Please file all pleadings and make all motions returnable there.

THIS ACTION HAS BEEN ASSIGNED TO CLARKSON, S. FIHSER, JUDGE.

Angelo W. Locascio
Clerk

by Richard W. Morris
Deputy

January 12, 1971
(Date)

THE COURT HAS DIRECTED THAT COUNSEL BE INFORMED THAT THERE WILL BE STRICT ENFORCEMENT OF GENERAL RULE 15 OF THE LOCAL RULES OF THIS COURT, (Completion of discovery proceedings), AND SANCTIONS MAY BE IMPOSED FOR FAILURE TO COMPLY WITH THE RULE AND ORDERS ENTERED PURSUANT THERETO; INCLUDING DISMISSAL OF THE ACTION AND SUPPRESSION OF THE DEFENSE.

ORIGINAL FILED
1971
ANGELO W. LOCASCIO, CLERK

FD-36 (Rev. 5-22-64)

FBI

Date: 1/28/71

Transmit the following in _____
(Type in plaintext or code)

Via AIRTEL AIRMAIL
(Priority)

TO: Director, FBI (62-109060)

FROM: SAC, New Orleans (89-69) (P)

ASSASSINATION OF PRESIDENT JOHN FITZGERALD KENNEDY, DALLAS, TEXAS, NOVEMBER 22, 1963
MISC. - INFORMATION CONCERNING
OO: DALLAS

Enclosed for the Bureau are ten newspaper articles appearing in New Orleans newspapers concerning above-captioned matter.

One copy each of these articles is enclosed for Dallas and Miami.

SI-114

REC 19
62-109060-6988

ENCLOSURE

(2) - Bureau (Enc. 10)
1 - Dallas (89-43)(Enc. 10)
1 - Miami (Enc. 10)
1 - New Orleans
ECW:bs
(5)

17 JAN 30 1971

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

51 FEB 5 1971

(Mount Clipping in Space Below)

Shaw Case Injunction In Court

A.. federal court hearing opens today on a request for a permanent injunction to block District Attorney Jim Garrison's prosecution of charges that Clay L. Shaw lied to the jury which acquitted him of conspiring to murder President John F. Kennedy.

Shaw is seeking to block the perjury trial on the grounds that Garrison, author of a book on the alleged conspiracy, has a monetary interest in the matter and that prosecution amounts to harassment in violation of his constitutional rights.

GARRISON CONTENDS that Shaw lied when he told the jury that he never knew either Lee Harvey Oswald or David W. Ferrie, named as co-conspirators in the plot. Oswald was shot to death in a Dallas police station and Ferrie, an airline pilot, died of a brain hemorrhage at the height of the Garrison investigation.

Garrison, three of his top financial supporters during the investigation, two judges, two assistant district attorneys, a policeman and one of the key trial witnesses all have been subpoenaed to testify before federal District Judge Herbert W. Christenberry.

The three financial contributors are Willard E. Robertson, Joseph M. Rault Jr., and Cecil M. Shilstone, members of a group called "Truth or Consequences" formed when Garrison was criticized for using public funds for his investigation of the Kennedy assassination.

Shaw has a civil damage suit pending against the "Truth or Consequences" organization.

ALSO SUBPOENAED are Criminal District Court Judge James L. Alcock, who was chief prosecutor at the Shaw trial; Judge Malcolm V. O'Hara, who is scheduled to hear the perjury it goes to trial in the state court; sistant District Attorneys John and Andrew Sciambra, Lt. Edward A. O'Donnell of the police department, and Perry Raymond Russo, a witness in the trial.

Judge Christenberry issued a temporary restraining order last Monday blocking prosecution in the state courts and ordered today's hearing on a permanent injunction. The district attorney will be required to show cause why he should be allowed to proceed with the case.

(Indicate page, name of newspaper, city and state.)

PAGE 1

SECTION 1

THE STATES-ITEM

NEW ORLEANS, LA.

Date: 1-25-71
Edition: COMET
Author: WALTER G. COWAN
Editor:
Title: ASSASSINATION OF PRESIDENT JOHN F. KENNEDY, TEXAS
Character: 11-22-63
or
Classification: 89-69
Submitting Office: N.O., LA.

☐ Being Investigated

FOUNDATION

62-109060-6988

FD-350 (Rev. 7-16-63)

(Mount Clipping in Space Below)

SHAW PROBE FUNDS AIRED

A New Orleans banker testified in federal court today that Truth and Consequences Inc. raised $30,000 for District Attorney Jim Garrison to investigate Clay L. Shaw, but defense attorneys indicated the figure may be closer to $100,000.

Willard E. Robertson, president of Truth and Consequences, told Judge Herbert W. Christenberry that he did not know the exact amount of money raised for the investigation of the assassination of President John F. Kennedy because Garrison never has made an accounting of expenditures.

THE TESTIMONY on Truth and Consequences contributions came in the opening session of a hearing on Shaw's motion for a permanent injunction to bar Garrison from prosecuting Shaw for perjury.

Garrison contends that Shaw lied when he told the jury that acquitted him of conspiracy to murder Kennedy that he did not know either Lee Harvey Oswald or David Ferrie, who were named by Garrison as co-conspirators.

Garrison earlier today lost a bid to have the injunction hearing stopped, even though the district attorney said he could produce 10 witnesses able to testify they had seen Shaw with Oswald or Ferrie at one time or another.

IN DECIDING to reject the district attorney's move, Judge Christenberry said the case might prove to be "unusual and extraordinary and should be heard."

The first witness called was Louis Carmat of the Bank of New Orleans, who produced promissory notes signed by Robertson as president of Truth and Consequences.

One note for $25,000 was dated Nov. 9, 1967, and the second, for $5,000, was dated Jan. 17, 1968.

Carmat also revealed the existence of a "Jim Garrison Fund" but he said he did not have all the records on hand and could not give details about it.

(Indicate page, name of newspaper, city and state.)

PAGE 1

SECTION 1

THE STATES-ITEM

NEW ORLEANS, LA.

Date: 1-25-71
Edition: FINAL
Author:
Editor: WALTER G. COWAN
Title: ASSASSINATION OF PRESIDENT JOHN F. KENNEDY, TEXAS
Character: 11-22-63
or
Classification: 89-69
Submitting Office: N. O., La.

☐ Being Investigated

62-109060-6986

ROBERTSON WAS listed on Truth and Consequences documents along with Joseph M. Rault Jr. and Cecil M. Shilstone. Garrison was listed as secretary of the organization, Carmat said.

Robertson took the stand as the second witness and told of money-raising efforts.

Asked by a defense attorney if he knew the amount of money raised by Truth and Consequences or whether the figure was $99,488, Robertson said he did not know because he has never seen an accounting of the funds.

Robertson did say Garrison owes him $25,000 and an additional $5,000 to the Bank of New Orleans.

Truth and Consequences was organized after Garrison was criticized for using public funds to finance his assassination investigation.

Shaw presently is suing the group for $5 million and is attempting to obtain records of that organization.

GARRISON WAS not present for the start of today's hearing. An associate said he was on call and could appear within one hour. The associate said Garrison has been ordered by his doctors to remain in bed and to get up for no more than two hours at a time.

Others called to testify in the hearing are Assistant District Attorneys John Volz and Andrew Sciambra, Criminal District Court Judges James Alcock and Malcolm V. O'Hara, Criminal District Court Clerk Dan Haggerty and Perry Raymond Russo, a witness in the Shaw trial.

Shaw, dressed in a blue suit with white pin stripes, arrived for the hearing a half-hour early.

Assistant District Attorney William Alford opened arguments on the district attorney's motion for dismissal, saying the court should not act merely on a claim of bad faith by the defense.

He said if that were allowed, the district attorney would have to go into federal court every time a defendant is not pleased with the way a case went.

ALFORD SAID the defense contention of bad faith is totally without base and groundless.

Defense attorney Edward Wegmann countered that Garrison's prime interest in continuing with the trial is to maintain the sales of his book, "A Heritage of Stone."

"With certainty Garrison has a financial interest in the outcome of this case, because he wants to keep his name before the public to help book sales," Wegmann said.

ALFORD ARGUED that the defense move is simply an "act of trickery" and Judge Christenberry said it is unfortunate members of the bar should accuse each other of acts of trickery.

Alford tried to bring in statements by the defense about Garrison's position but the judge refused to hear the matter. At one point he threatened to hold Alford in contempt of court if he did not halt that line of argument.

Garrison's motion for dismissal of the temporary injunction stated that he could produce ten witnesses who could testify that Shaw and Ferrie knew each other.

Garrison listed the ten and said they would testify as follows:

Betty Rubio, a clerk at the New Orleans Lakefront Airport, who he said will testify she saw Ferrie and Shaw there on April 1, 1964.

Mr. and Mrs. Nicholas Tadia, who testified during the trial that Ferrie and Shaw were together at New Orleans International Airport.

Herbert Wagner, gas station attendant, who Garrison said will testify he saw Shaw and Ferrie together at a service station owned by Ferrie.

Jim Louviere, who worked at Ferrie's station and said he saw Shaw and Ferrie there and at Ferrie's home.

Andrew Dunn, of Clinton, who testified at the trial that he saw Shaw, Ferrie and Oswald together in Clinton in 1963.

John Manchester, Clinton town marshal, who told of seeing Shaw and another man in a big black car there.

Harry Earl Palmer, registrar of voters in Clinton, who will also say he saw them in Clinton.

Cerrey Collins, who will say he saw the three in Clinton together in 1963.

James Laurent, a one-time friend of Ferrie's, who is prepared to say he saw Ferrie and Shaw together at the service station.

The district attorney said he also could produce other witnesses who could testify about the friendship of the three men.

He also attacked the contention that the first jury, in acquitting Shaw, also found him innocent of perjury. Garrison said he is willing to have the jury called in and polled on that point.

CARMAT said he does not have all the records pertaining to Truth and Consequences or the Jim Garrison Fund because they are in storage on microfilm. He said he expects to have a complete rundown on the finances of the two funds in a day or so.

The second witness called was Robertson.

Wearing a dark blue suit, he said he is an automobile importer.

Robertson said he holds no public office but noted Gov. John J. McKeithen has appointed him to the Mississippi River Bridge Authority and the Louisiana Tourist Commission and that he currently serves on both boards.

The questioning by Edward Wegmann proceeded:

Q—Are you a close personal friend of Jim Garrison?

A—Yes, I am.

Q—How many years have you been a close personal friend?

A—Ten or 12 years.

First Assistant DA Volz objected that Wegmann's questions were irrelevant to the perjury charges against Shaw. After he had been overruled twice, Volz entered a general objection to all of Wegmann's questions of Robertson.

The questioning proceeded.

Q—How often do you see Jim Garrison?

A—Not very often.

Q—When was the last time?

A—In the hospital three or four months ago.

Q—How often did you see Jim Garrison from Sepember, 1966, to March 1, 1968?

A—About a dozen times.

Q—Are you a political supporter of Mr. Garrison?

A—Yes, I am.

Q—Have you contributed to his campaigns for district attorney?

A—Yes, I have.

Q—Are you one of the organizers of Truth and Consequences of New Or-

leans Inc.?

A—Yes, I was.

Q—Is it a fact that you solicited friends, associates and customers to raise funds for Truth and Consequences?

Over another objection by Volz Robertson was instructed to answer the question.

A—Yes, I did.

Q—How much did you personally give to Truth and Consequences?

A—I gave checks of $100 and $100 again—then I gave a check for $10,000 and another check for $2,500.

Q—Were there any conditions attached to your donations?

A—That it would be returned to me when enough money was available.

Q—For what purpose did you make these donations?

A—For the purpose of investigating the assassination of President Kennedy.

Q—For the purpose of investigating the assassination or for the purpose of prosecuting Clay Shaw?

A—For the purpose of investigating the assassination.

Judge Christenberry then intervened, asking, "Were you a personal friend of President Kennedy's?"

A—I spent an hour and 25 minutes in his office a month before his death.

Wegmann then proceeded to establish that before to moving to New Orleans some 15 years ago, Robertson lived in New Haven, Conn. He established that Robertson had never given money to any other district attorney, had never set up private funds for the prosecution of criminals such as rapists or armed robbers, nor had known any district attorney other than Garrison.

It was also established that the $25,000 promissory note signed by Robertson now has been reduced to $21,500. Wegmann resumed his questioning.

Q—Did you pay the bank back $3,500?

A—I don't recall, sir.

Q—What was done with the proceeds of the note?

A—I assume Mr. Garrison used it.

Q—Did Mr. Garrison receive the full $25,000?

A—No. Ten thousand dollars was returned to a company that I own and $2,500 was returned to me.

Q—What happened to the balance?

A—It went to Mr. Garrison, which I assume he spent.

Q—Don't you know when that $12,500 was spent or how?

A—No, sir.

Robertson added he currently is paying interest on the $21,500 note that is held by the Bank of New Orleans.

Q—Did Garrison agree to pay for the note from the proceeds of his book, "Heritage of Stone?"

A—No, he did not.

Q—Did he agree to pay the note off from his personal funds?

A—Yes, he did.

Q—Has he done so?

A—No, he has not.

Wegmann then showed Robertson the $5,000 promissory note.

Q—Who ultimately received the proceeds of this note?

A—Jim Garrison.

Q—For what purpose?

A—To further the investigation of the assassination of President Kennedy.

Q—Have you received an accounting of Truth and Consequences funds?

A—No.

Q—Have you received any report, any vouchers showing the use of the money given to Mr. Garrison?

A—No.

Q—Have you ever asked for it?

A—No.

At this point Christenberry asked, "Why not?"

A—He sent investigators all over the country. I assume that is where the money went, sir.

Christenberry: Do you care how he spent the money?

A—Yes, sir, I care how he spends my money.

Wegmann resumed the questioning.

Q—Did other members of Truth and Consequences get an accounting?

A—I do not know.

Q—Isn't it true that most of the funds went to Garrison after March 1, 1967—the date after Clay Shaw was arrested?

A—I believe that is correct, sir.

Judge Christenberry: You contributed this money after the arrest? Was the investigation made after the arrest?

A—Clay Shaw was judged innocent by a jury. That is good enough for me, sir.

Wegmann: These funds would only have been used for the prosecution of Clay Shaw, is that correct?

A—I do not know how those funds were spent.

Q—Was Jim Garrison prosecuting anyone else other than Clay Shaw?

A—No sir, not to my knowledge.

Wegmann then produced a check for $4,933 signed by Robertson. He asked for what purpose the check had been drawn.

Robertson replied the check had been drawn to cover an overdraft in the Jim Garrison Fund.

Wegmann then produced a check for $2,000, dated Dec. 18, 1967, made payable to Jim Garrison.

Q—Why was this money paid directly to Garrison?

A—Because he needed the funds.

Robertson explained he often signed checks at the request of either Garrison or the DA's staff. He said he could not recall which checks were requested by Garrison and which by his staff.

Judge Christenberry then asked: "Do you mean his staff would call up and get money?"

A—That is correct, sir.

Wegmann produced a check for $2,500 made payable to Jim Garrison which Robertson said he was not aware had been drawn against the account, then produced checks to Louis Ivon in the amount of $1,300, $1,000, $1,200, $2,700, $1,000, $150 and $5,000, all drawn in the winter of 1967.

Robertson said the checks were made to Ivon to cover the expenses of the investigation. He said he thought Ivon was a bookkeeper on Garrison's staff. It was pointed out that Ivon is a police officer assigned to the DA.

Wegmann took up the questioning.

Q—Is Jim Garrison still using that Truth and Consequences money?

A—Perhaps so.

Q—Is Garrison using that money to press perjury charges against Shaw?

A—Perhaps so.

Q—One of the witnesses against Clay Shaw was Roger Craig of Dallas. Did you employ Craig at one of your companies?

A—For a brief time.

Q—Did Jim Garrison ask you to put him to work?

A—I don't believe so.

Robertson agreed that Craig had worked for him before he testified

against Shaw and returned to Dallas after his testimony.

Judge Christenberry asked Robertson if he had anything to do with getting Craig to testify.

Robertson emphatically replied, "No, sir."

Robertson said he arranged a meeting between Garrison and Gordon Novel in his offices at the 225 Baronne Bldg. late one evening after Novel called him and said he wasn't "safe on the streets."

Robertson said he introduced Novel to Garrison but did not sit in on the meeting.

ROBERTSON SAID that after Novel went to Cincinnati he purchased $5,000 to $6,000 of merchandise from him.

Asked how much Garrison owed him, Robertson said Garrison owes him $25,000 in promissory notes another $5,000 for the Bank of New Orleans.

WEGMANN ASKED Robertson if he knew the total amount of money contributed by Truth and Consequences to Garrison. "Isn't that total $99,488?"

Robertson answered: "I have never seen an accounting of the funds."

He said he did know Clay Shaw before Shaw was arrested on the conspiracy count, but did not know he was a suspect in the case when Truth and Consequences was formed.

Robertson said he personally contributed a small amount of money to T-C before Shaw was indicted.

He said he did not counsel Garrison on the investigation and has taken no part of any alleged harassment of Shaw.

WEGMANN ASKED Robertson why he contributed to T-C. Robertson became emotional and related an incident in which he had met with President Kennedy for an hour and 25 minutes, just two weeks before the assassination.

He said the meeting had "inspired me a great deal" and that he had been impressed by Kennedy.

"I contributed because I was deeply concerned at how anyone could accept the findings of the Warren Commission or the fact that records in the case have been filed away for 75 years, when no person living today will see them."



Defendant, witnesses

Arriving for federal court hearing on a request to block the perjury trial of Clay L. Shaw are, from left, SHAW, CECIL M. SHILSTONE and WILLARD E. ROBERTSON. (States-Item photos.)

(Mount Clipping in Space Below)

$10,000 M'KEITHEN GIFT TO JFK PROBE ALLEGED

Wegmann Cites Donation at Shaw Hearing

Gov. John J. McKeithen contributed $10,000 to District Attorney Jim Garrison's Kennedy assassination probe fund, Atty. William J. Wegmann said in U.S. District Court here Monday.

Wegmann, representing Clay L. Shaw, made the disclosure in questioning of Cecil M. Shilstone, a founder of Truth and Consequences Inc.

Truth and Consequences was created to funnel private funds into Garrison's probe of an alleged conspiracy by Shaw and others to kill President John F. Kennedy.

Shaw was acquitted in Criminal District Court here of such a conspiracy. He is now seeking a preliminary injunction blocking Garrison from trying him for perjury.

TOTALS REPORTED

Also on Monday New Orleans car importer Willard E. Robertson testified the Truth and Consequences and Jim Garrison funds amounted to $99,488.96 and that no accounting was made to him by Garrison as to how this money was spent.

At the hearing, conducted by Federal Judge Herbert W. Christenberry, Wegmann told Shilstone, president of Shilstone Testing Laboratory that:

"It has been revealed in interrogatories in another of my client's cases in this court that Gov. McKeithen on two occasions contributed $5,000 to the fund on each of these occasions. Did you solicit these funds from the governor?"

Shilstone replied, "No, sir."

Shilstone said he contributed a total of $1,200 to Truth and Consequences but never found how it was spent, and did not attempt to.

"It was true I didn't want anything to do but contribute the money. I didn't want to become a party to any investigation," Shilstone testified.

He said he was contacted by Robertson and businessman Joseph M. Rault Jr. about setting up the fund.

Shilstone said it was he who thought up the name Truth and Consequences. "I said let's look for the truth and let the chips fall where they may, whether it helps or hurts Mr. Garrison," he testified.

He said he later attended three luncheon meetings with Garrison and others in an attempt to get more contributions.

But Shilstone denied to Judge Christenberry that Shaw's name was mentioned.

"I never knew that Mr. Shaw was being investigated," said Shilstone, adding that later on, "I was shocked to hear Mr. Shaw was arrested."

However, he testified he made a final contribution of $1,000 months after Shaw's arrest in 1967 because he had promised to donate $100 a month and "I was 10 months in arrears."

He denied that he conspired to deprive Shaw of his constitutional rights.

After Shilstone testified, Rault's name was mentioned in the courtroom, but Judge Christenberry was told an attempt to serve a subpoena on Rault was unsuccessful.

At this time, Atty. Hugh B. Exnicios Jr. of Metairie was called by Shaw's attorneys.

Contribution Total Given by Witness

Robertson testified that total contributions to Truth and Consequences and the Jim Garrison Fund amounted to $99,488.96, and that there has never been an accounting made by Garrison as to the disposition of the funds.

Robertson also testified that he personally contributed $12,700 to the Truth and Consequences fund.

The witness said that he has been a close personal friend of Garrison for the past 10 or 12 years but the last time he saw him was in the hospital three or four months ago.

He added that he has been a political supporter of Garrison and has contributed to his campaigns for election.

Robertson said that he was one of the organizers of Truth and Consequences and has actively solicited funds for the organization.

Tracing the background of Truth and Consequences, Robertson said that at first it was not incorporated but the corporate name was used because it was intended that it be incorporated.

Asked what was done with the funds collected for the group, the witness replied that they were turned over to Rault.

At a later time, he said, the organization became known as Truth and Consequences of New Orleans, Inc., and although there were no officers per se of Truth and Consequences of New Orleans, Inc., the officers were Rault, Shilstone and himself.

No Permission Claimed Needed

He said that Garrison was authorized to draw checks on the Jim Garrison Fund and Truth and Consequences accounts and needed no permission to do so.

Robertson testified that Garri-

(Indicate page, name of newspaper, city and state.)

PAGE 1

SECTION 1

THE TIMES-PICAYUNE

NEW ORLEANS, LA.

Date: 1-26-71

Edition:

Author:

Editor: GEORGE T. HEALY JR

Title: ASSASSINATION OF PRESIDENT JOHN F. KENNEDY, TEXAS 11-22-63

Character:

or

Classification: 89-69

Submitting Office: N.O., LA.

☐ Being Investigated

62-109060-6188

son was not an officer or director of Truth and Consequences although records produced by bank officials showed him to be secretary.

At this point Judge Christenberry read from the articles of incorporation which showed Garrison to be secretary and Robertson then said that he was in error.

The witness testified that he signed bank notes on Truth and Consequences of New Orleans, Inc., because he felt that it would be incorporated but in act it never was.

He then testified that he originally gave $100 to Truth and Consequences, then another $100, then a check for $10,000, and later another check for $2,500.

Asked by Wegman what the money was intended for, the witness replied that it was for the investigation of the assassination of President Kennedy.

"Or for the prosecution of Clay Shaw?" Wegmann asked.

"For the investigation," Robertson replied.

Judge Christenberry then asked Robertson if he was a close personal friend of the President and the witness replied, "Two weeks prior to his death I spent one hour and 25 minutes in his office."

Wegmann then asked the witness, "You never contributed to the prosecution of a rapist or a narcotics peddler?"

Robertson answered, "No."

Formerly Lived in Connecticut

He also testified that prior to living in New Orleans he resided in New Haven, Conn., and when questioned by Wegmann he answered that he had never made contributions to the prosecutor there.

Robertson identified a $25,000 note he signed for Truth and Consequences and said that it has been paid down to $21,500 but said that he did not recall if he paid the difference.

Asked what was done with the proceeds of the note, he said that he assumes Garrison used the proceeds.

The note was later increased to $26,500.

He denied that Garrison agreed to pay the note out of the proceeds from his book. He said that Garrison agreed to pay the proceeds out of his own funds but has not done so.

"In connection with the sizeable amount of money for which you are personally accountable, have you received any accounting?" Wegmann asked Robertson.

"No," the witness replied.

He also denied that he has received any vouchers showing what the money was used for and Judge Christenberry asked, "Why not?"

Robertson replied, "He sent investigators all over the country. I assume that's where the money went."

Unaware If Any Accounting Given

"You didn't care how he spent it?" the judge asked.

"Yes, I did," the witness answered.

Robertson added that he does not know if any of the contributors have been given an accounting.

Wegmann then asked, "Isn't it a fact that most of the funds given to Truth and Consequences went to Garrison after March 1, 1967, after Clay Shaw was arrested?"

The witness answered in the affirmative.

Judge Christenberry repeated "The arrest was already mad when the money was contribut ed," and the witness repeate his affirmative answer.

Judge Christenberry also asked, "With district attorney's offices and police departments all over the United States which are usually cooperative, didn't it seem strange that it would be necessary to send investigators all over the country?"

"Yes," Robertson replied.

"But you did it," the judge added.

"Yes," the witness repeated.

Robertson identified checks amounting to $12,350 which were paid from the Truth and Consequences account to Louis Ivon, an investigator in Garrison's office.

Under examination by Volz, Robertson said that he did not know that Shaw was a suspect in the assassination probe when Truth and Consequences was formed.

Objection Upheld by Christenberry

Robertson was asked by Volz if he ever conspired with Garrison to have Shaw prosecuted or to violate his constitutional rights and before the witness could answer Judge Christenberry upheld an objection to the question on the grounds that it called for a legal opinion.

At the conclusion of his testimony Robertson asked the court's permission to make a statement about why he contributed to the Garrison funds.

He related that two weeks before the assassination he visited with the President at the White House for an hour and 25 minutes and was impressed a great deal because when he left the President walked to the door and across the White House lawn with him. He said that Rep. Hale Boggs was with them and that when they were walking across the lawn he remarked to President Kennedy that he must have a busy day and that he would bid the President goodbye at that point.

Robertson said that the President replied "You have come to Washington at my request. I can at least see you to your car."

The witness added that he was so impressed that after the assassination he was determined to get to the truth and was not willing to accept the findings of the Warren Report.

He said that he read a great deal of the report but did not understand its findings and did not think it should be closed for 75 years.

Before Robertson took the witness stand Judge Christenberry denied a motion to dismiss Shaw's application for an injunction.

Also before Robertson was called to the witness stand, returns were made on a number of subpenas for production of documents.

One of these returns was made by Louis Carambat for the Bank of New Orleans. He produced two promissory notes signed by Robertson, one for $25,000 dated Nov. 9, 1967 and another for $5,000, dated Jan. 17, 1968.

It was during Carambat's testimony that it was revealed that in addition to the Truth and Consequences fund, there was also a Jim Garrison Fund in existence.

Attorneys Agree on Applications

Prior to arguing the dismissal motion attorneys for Shaw and for Garrison agreed that the hearing would be on both applications for preliminary and permanent injunctions.

Alford argued that under the

federal anti-injunction statute the federal court should not issue an injunction against a state prosecution which was begun in good faith.

He claimed that the state perjury is a valid and constitutional statute and if Shaw's suit is upheld any defendant in a state perjury prosecution could go to federal court and seek an injunction against prosecution.

Wegmann argued that the anti-injunction statute is not an absolute bar to a federal jurisdiction in a state court prosecution.

Judge Christenberry remarked that the Shaw case may be such an extraordinary case as to constitute an exception to the anti-injunction statute.

In the motion to dismiss the state listed the names of witnesses it intends to call at the hearing. They include:

—Betty Rubio, described as an employe at the New Orleans Lakefront Airport who knew Ferrie and shortly before April, 1964, while in the ramp office, noticed a plane taxi up and Ferrie got out of the plane, talked to her and then went back to the plane where he met Shaw and talked.

—Mr. and Mrs. Nicholas Tadins, whose son was taking flying lessons at New Orleans International Airport. It is alleged that they had heard that Ferrie had made indecent advances upon juveniles in Jefferson Parish and for that reason were concerned about their son and took him to the airport and waited for him to finish his lessons. On one occasion, they allegedly saw Ferrie and Shaw together.

—Herbert Wagner, described as a trusted friend of Ferrie who allegedly saw Shaw with Ferrie at Ferrie's service station in Jefferson Parish.

— Jim Louviere, identified as a mechanic for Ferrie who allegedly saw Shaw with Ferrie in Jefferson Parish and at Ferrie's home.

— Andrew Haden Dunn, Clinton, La., who will testify, according to the motion, that he saw Shaw, Ferrie and Oswald in Clinton during a civil rights demonstration in 1963.

— John Manchester, town marshal of Clinton, who allegedly will testify that he saw two persons identified as Shaw and Ferrie in Clinton.

— Henry Earl Palmer, registrar of voters at Clinton, who is claimed will testify that he saw two white men in line with a group of Negroes at the registrar's office. One was Oswald, it is alleged, and on his way out of the building he saw two men in a Cadillac whose characteristics were similar to those of Shaw and Ferrie.

— Corey Collins, a worker for the Congress of Racial Equality who allegedly also saw Shaw Ferrie and Oswald together in Clinton.

— James Laurent, described as a one-time friend of Ferrie who allegedly saw Shaw at Ferrie's service station in 1964.

Criminal District Court Judge James L. Alcock, former first assistant to Garrison, was asked by Wegmann if on March 3, 1969, all of the witnesses who might substantiate the perjury charge were available to the state at that time.

Alcock replied that he couldn't answer because he did not know. He later queried what Wegmann meant by "available" —whether that meant witnesses could be located within the limits of the continental United States or whether they could be reached with a subpoena.

Under further questioning Alcock testified that, of the 10 persons named by the state in the motion to dismiss, the only ones to testify at the conspiracy trial were Dunn, Manchester and Palmer.

Alcock said he could not attest to the "availability" at the time of the trial of the other witnesses the state intends to call at this hearing.

An attorney representing William Gurvich, former investigator on Garrison's staff, subpoenaed as a witness for the plaintiff, asked that Gurvich be excused. Gurvich is charged with the theft of a "master file" from the DA's office and therefore, the attorney argued, could give testimony which could be used against him in his pending case.

Wegmann asserted that this problem has existed for four years, claiming that anyone who challenges or disagrees with the DA is subject to be charged with a crime.

Gurvich's attorney said he felt that his client's constitutional rights should be protected. Judge Christenberry commented that to protect the constitutional rights of one party can mean invading the constitutional rights of another.

Judge Christenberry later denied the motion to quash the subpoena for Gurvich.

Court was recessed until 10 a.m. Tuesday.



—AP WIREPHOTO.
CLAY L. SHAW
en route to court.



—Photo by The Times-Picayune.
CECIL M. SHILSTONE
Attends Court Hearing



—Photo by The Times-Picayune.
PERRY R. RUSSO
Called to Testify

FD-350 (Rev. 7-16-63)

(Mount Clipping in Space Below)

Allegedly Linked Shaw, Ferrie, Oswald

Garrison Witness Is Dead

One of the witnesses District Attorney Jim Garrison said he planned to call in the Clay Shaw perjury trial hanged himself in the jail at Clinton, La., on June 6, 1968.

Records in Clinton confirmed today that Andrew Haden Dunn, jailed on a drunk charge, hanged himself with his belt.

In his answer to Shaw's U.S. District Court motion to suppress the perjury trial, Garrison identified Dunn as one of 10 witnesses the "district attorney's office has interviewed and intends to present" in its perjury case against Shaw. The answer said the witnesses observed Shaw in the company of David Ferrie and Lee Harvey Oswald.

GARRISON CLAIMS Shaw lied when he testified he did not know Oswald and Ferrie. That testimony came in Shaw's trial on a charge he conspired to assassinate President John F. Kennedy. He was acquitted of those charges.

Garrison's answer in the court of Judge Herbert W. Christenberry said Dunn would testify that, during civil rights demonstrations in the summer of 1963, he was sitting in front of Wright's Barber Shop in Clinton, across the street from the voter registrar's office, "at which time he saw Shaw, Ferrie and Oswald together."

William Alford, an assistant district attorney, said today the answer should have identified the witness as William E. Dunn, a Clinton construction and farm worker who testified in the Shaw conspiracy trial.

Dunn testified in the 1969 trial that he was working in a civil rights voter registration drive in Clinton during that 1963 summer, that he saw Oswald in the voter registration line, and that he saw Shaw in a parked automobile.

IT ALSO WAS learned today that John Manchester, who Garrison identified as the Clinton town marshal, resigned and moved from Clinton some time ago.

Garrison said Manchester will testify that, during civil rights demonstrations that summer in Clinton, he saw an automobile parked on a street and that "he established by talking to the occupants of the car that they were from the International Trade Mart in New Orleans. He identified the occupants of the car as Clay Shaw and David Ferrie."

(Indicate page, name of newspaper, city and state.)

PAGE 5 A

THE TIMES-PICAYUNE

NEW ORLEANS, LA.

Date: 1-26-71

Edition:

Author: GEORGE W. HEALY JR.

Editor:

Title: ASSASSINATION OF PRESIDENT JOHN F. KENNEDY, TEXAS 11-22-63

Character:

or

Classification: 89-69

Submitting Office: N.O., LA.

☐ Being Investigated

SEARCHED ____ INDEXED ____
SERIALIZED ____ FILED ____
JAN 27 1971
FBI — NEW ORLEANS

62-109060-6756

FD-350 (Rev. 7-16-63)

(Mount Clipping in Space Below)

Shaw Attack—on DA Returns to U.S. Court

Clay L. Shaw returned to federal court today to hammer at New Orleans Dist. Atty. Jim Garrison's motives for attempting to prosecute him on a perjury charge stemming from the John F. Kennedy assassination probe.

Shaw, acquitted of charges he conspired to kill the president, is asking U.S. District Judge Herbert Christenberry for an injunction against further state prosecution in the case.

One of the key questions is whether Garrison prosecuted Shaw as he would any other defendant or whether Shaw was handled differently.

CHRISTENBERRY, a 23-year veteran of the federal bench, let it be known yesterday he thinks at least one part of the case didn't seem to be handled right.

". . . I saw on television when Shaw was in the courtroom corridor the day he was arrested on a charge of conspiring to kill President John F. Kennedy surrounded by police and district attorneys," Christenberry said yesterday on one of the several occasions he interrupted testimony in the hearing to make comments.

"It seemed confused. As far as that goes, it didn't seem to be handled like any other trial," the judge added.

Christenberry showed anger at haggling between opposing lawyers and once threatened prosecutor William Alford with contempt of court.

IN A MOTION for dismissal of the Shaw request, the state called Shaw's attorneys "tricksters."

"It is unfortunate, to say the least, that members of the bar of integrity should be charged of trickery," Christenberry said.

Alford responded by saying Shaw's attorneys had called Garrison a "scavenger" but Christenberry stopped the assistant DA before he could go further and said, "I don't want to hear any more of that."

When Alford persisted, the judge snapped, "You don't want to be in contempt, do you?"

ALFORD SAT DOWN.

Christenberry asked several questions during the hearing about the assassination trial. At one point he asked how long the jury was out.

"Fifty-five minutes," answered one of the attorneys.

Christenberry shook his head in bewilderment, saying, "Fifty-five minutes after a 40-day trial."

He added with a smile that this hearing isn't going to last as long as the trial lasted.

SHAW'S ATTORNEYS attempted to show there was a conspiracy between Garrison and Truth and Consequences, an organization that financially supported the DA's investigation, to deprive Shaw of his constitutional rights.

William Wegmann, a Shaw attorney, said private funds donated to Garrison exceeded $99,000.

Wegmann drew from Criminal District Court Judge James L. Alcock, a former Garrison aide and a prosecutor in the assassination trial, an acknowledgement that Gov. John J. McKeithen

(Indicate page, name of newspaper, city and state.)

PAGE 1

SECTION 1

THE STATES-ITEM

NEW ORLEANS, LA.

Date: 1-26-71
Edition: COMET
Author:
Editor: WALTER G. COWAN
Title: ASSASSINATION OF PRESIDENT JOHN F. KENNEDY, TEXAS
Character: 11-22-63
or
Classification: 89-69
Submitting Office: N. O., LA.

☐ Being Investigated

SEARCHED ____ INDEXED ____
SERIALIZED ____ FILED ____
JAN 27 1971
FBI — NEW ORLEANS

62-109060-6985

contributed $10,000 to Garrison's assassination investigation fund.

Wegmann asked Alcock if he had any knowledge of the governor contributing the $10,000.

ALCOCK REPLIED that he knew the donation had been made but that he (Alcock) had played no direct part in the matter.

.. In other hearing highlights yesterday:

—Willard E. Robertson, a New Orleans automobile importer, testified he borrowed $30,000 for the investigation with the understanding it would be paid back, and to this date, Garrison still owes him for it. Robertson was president of Truth and Consequences.

—Cecil Shilstone, another member of Truth and Consequences, testified he donated $1,100 to the Garrison fund but did not want to have anything to do with the Garrison investigation. He told Christenberry his reluctance to become a party to the investigation was not because he felt the money might not be spent properly.

—IN ITS motion to dismiss the Shaw request the state claimed it has 10 witnesses prepared to testify in the perjury trial.

—Alcock testified that as far as he knew, Shaw's arrest on the conspiracy charge was based on information from only one witness, Perry Raymond Russo.

—Christenberry refused to quash a subpoena for William Gurvich, a former Garrison investigator. The motion to quash was made on a claim Gurvich's constitutional rights would be violated by his appearance at the hearing.

Gurvich is charged with the theft of a "master file" from the DA's office.

(Mount Clipping in Space Below)

Here Is Testimony of Clay Shaw Hearing

The second day of a U.S. District Court hearing on Clay L. Shaw's bid to avoid going to trial on perjury charges got under way today before Judge Herbert W. Christenberry.

The first witness called was Joseph Rault Jr., New Orleans businessman, who was one of the founders of Truth and Consequences, a group formed to finance District Attorney Jim Garrison's probe of the assassination of President John F. Kennedy.

AFTER RAULT introduced some bank records which had been subpenaed, Garrison himself appeared and Rault stepped down temporarily so the DA could testify.

William Wegmann, a Shaw attorney, began questioning Garrison. Here is the text of the testimony:

Q. When did your office begin investigating the death of President John F. Kennedy?

A. I don't recall the year exactly. We began a short investigation a few days after the assassination when we learned Oswald had spent a few days in New Orleans. We arrested David Ferrie for further investigation in the case but let the matter go because federal authorities were looking into it. Several years later in 1966, when we determined that their investigation was a fake, we resumed our investigation.

Q. When was Shaw first called to your office?

A. He was called in early 1967.

Q. When he was called, was he advised he was a suspect?

A. No. When he was first called he was not a suspect.

Q. Was he represented by counsel and advised of his rights, etc.?

A. No, but he was not a suspect at that time.

Q. On what date did Shaw become a suspect?

A. It was such a gradual thing that it's almost impossible to estimate a definite date. It was sometime after our second interview with him. There was something about his answers that did not completely correspond and fit our questioning. He was never called again without a lawyer.

Q. When was that second interview?

A. I'm not sure but it was within a short time after the initial interview in December. After that time he was considered a suspect.

Q. Was Shaw a suspect on March 1, 1967 (the day he was arrested)?

A. Yes.

Q. Was he advised he was a suspect?

A. Yes.

Q. When did Perry Raymond Russo come to your attention?

A. I do not have an exact date but that is a matter of public record.

Q. Isn't it a fact that Russo came to light when Andrew Sciambra (assistant district attorney) went to Baton Rouge to interview Russo?

A. Yes.

Q. Did Sciambra prepare a memorandum in connection with his interview?

A. He prepared two of them.

Q. Isn't it true that the memorandum did not mention a conspiracy plot?

Assistant DA William Alford objected to the question and the judge overruled the objection.

A. The memorandum went into matters at such length that I am not sure of all the details it brought out.

Q. Did Sciambra prepare a second memorandum?

A. Yes. He also supplied me with verbal commentary on the interview.

Q. When did Sciambra tell you of the meeting on Louisiana Avenue?

A. On his return from Baton Rouge.

Q. Did you believe him?

A. I didn't make a determination of the veracity of the information. I was interested and wanted to talk to him more about it.

The judge asked Garrison, "What prompted you to send Sciambra to Baton Rouge?"

A. It was prompted by an announcement by Russo shortly after Ferrie's death that there had been such a meeting.

Q. Did Russo write you a letter?

A. No. I believe the initial information we received was in his public announcement to newsmen in Baton Rouge.

Q. When Russo came to New Orleans after Feb. 5, 1967, was he subjected to hypnotic sessions?

A. He was only subjected to hypnotic sessions following instructions by our office. The purpose being to obtain a degree of cooperation in that we wanted something additional to his statements because of the seriousness of his charges. Such a session was set up by Dr. (Nicholas) Chetta (the late Orleans Parish coroner) and Dr. (Esmond) Fatter.

Q. How many sessions was he subjected to?

A. One.

Q. Have you ever heard of post-hypnotic suggestion?

A. Of course.

Q. Was any post-hypnotic suggestion given Russo?

A. As I recall the testimony of Dr. Fatter, the only post-hypnotic suggestion given Russo was for him to tell the truth.

62-109060-6988

(Indicate page, name of newspaper, city and state.)

PAGE 5 A

THE TIMES-PICAYUNE

NEW ORLEANS, LA.

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SEARCHED ____ INDEXED ____
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FBI — NEW ORLEANS

Q. Were Lee Harvey Oswald and David Ferrie alive when Shaw was indicted?

A. Well, Oswald was eliminated within 48 hours of the assassination but Ferrie was alive when Shaw was indicted and we were considering indicting him shortly before his death.

Q. What witnesses did you have on March 1, 1967, to base your order to arrest Clay Shaw?

A. Garrison at this point objected to answering, saying:

"In my considered judgment I would not be doing my duty to answer the reasons for making a policy decision."

The judge at this point said, "But that question doesn't involve policy."

Alford objected, saying "This is privileged information."

The judge responded, "But this case is closed."

Alford replied, "I object to the court asking Garrison to violate his oath of office."

ASSISTANT DISTRICT Attorney John Volz stood up at this point and told Judge Christenberry, "We regard the information on the first case (the conspiracy case) and this case to be so intertwined that any revelations about one would invariably affect the other."

Garrison, addressing the judge, said: "If I were to answer that question, I would consider myself to be in violation of my oath of office and so I must refuse to answer."

Shaw attorney William Wegmann asked the judge to order Garrison to answer and Christenberry replied: "Now wait a minute, if he refuses to answer, we'll have to assume there was just one witness."

Q. How were you involved in the case?

A. I supervised the entire first phase of the investigation and farmed out the second phase to assistants, making my role primarily one of controlling their investigation. I assigned the prosecution to James Alcock.

Q. Was it not an essential element of your original case to prove Shaw was associated with Lee Harvey Oswald and David Ferrie?

A. Yes. It is my recollection at the time of the prosecution that either one of those two men would have been essential witnesses.

Q. But we're not talking about essential witnesses and you haven't answered my question about whether it was essential to prove Shaw knew Oswald and Ferrie.

A. Yes, we set out to prove he knew either one of them.

Q. Was that the theory of the state's case?

A. It was part of the theory of the state's case.

Wegmann showed Garrison a transcript of his opening statement in the conspiracy trial and asked him if he made the statement.

Garrison said he did and that it outlined what the state hoped to prove.

Q. Did you make reference in your statement to the fact that Shaw knew Lee Harvey Oswald and that the state would prove this?

A. Yes.

Q. When you made references to the Dallas witnesses of the assassination did any of them ever mention Clay Shaw?

A. No, there was never any attempt to involve Shaw in the Dallas events. As we saw it, there were two parts to the assassination — the pre-assassination events in which Lee Harvey Oswald was set up as a potential patsy with a record of left-wing activities in New Orleans and a second part being what led to the events in Dallas. At no time did we try to connect Shaw with Dallas.

Q. Are you saying that the Dallas witnesses had no importance in the conspiracy trial?

A. The Dallas witnesses were important to the state's case but that importance did not involve Clay Shaw. The events surrounding the assassination were all compartmentalized and one was not necessarily connected to the other.

Wegmann asked Garrison if he recalled the witness Charles Speisel.

Garrison replied, "Yes. He was not a very good witness."

Garrison said his recommendation was that Speisel not be used in the conspiracy trial but Alcock decided to put him on the stand.

GARRISON SAID he did not interfere with Alcock's decision because "it would be like telling a pilot how to fly a plane."

Wegmann then turned to a lie detector test administered to Russo by Lt. Edward M. O'Donnell of the New Orleans Police Department. He produced a copy of the report, noting that O'Donnell said Russo could not recall which statements were made by Shaw, Ferrie and Oswald at the alleged party were the conspiracy was discussed.

Garrison said O'Donnell's report seemed to him to be vague and negative and filled with an unusual number of speculations. He said eventually the report was discounted because it seemed much less conclusive and authoritative than the hypnosis sessions in which Russo testified as to the conversations.

GARRISON DENIED he tried to convince O'Donnell to destroy the report and said the officer lied at a meeting with Garrison and members of his staff.

"At this meeting, Russo denied having said certain things to O'Donnell and O'Donnell inferred that he had taped his session with Russo," he said. "It later turned out that was untrue."

Garrison said he recorded the session with his staff, Russo and the lieutenant and voluntarily will make the tape available to the court if it can be found.

THE DISTRICT attorney also said it seemed rather unusual to him that an official document like that report would have found its way into the hands of defense attorneys.

At that point Wegmann asked, "Did you believe Perry Raymond Russo's story?"

Garrison replied, "I believed it then and I believe it now."

Wegmann asked if a Lt. Fruge of the state police was instrumental in helping line up some witnesses in Clinton who testified they saw Shaw, Ferrie and Oswald there in 1963.

Garrison said he was involved in lining up the witnesses.

Wegmann then asked, "Was Lt. Fruge paid?"

"I don't recall," Garrison replied. "As you know, I'm just getting back from the hospital and just getting back in charge of my office."

Garrison indicated he was just now checking and rechecking his records in the case.

WEGMANN THEN attempted to ask Garrison about another witness, Vernon Bundy, who testified in the conspiracy trial.

Garrison became visibly annoyed and replied, "Now you are asking about witnesses who will not be used in the perjury case. You are also asking me to go beyond the case as to why we used this witness or that one.

"I think this is irrelevant and I would be violating my oath of office if I participated in this fishing expedition with you."

HE REFUSED TO answer any question pertaining to Bundy and the judge noted that Alcock yesterday an-

swered similar questions about Bundy and said he would go with the prior testimony if Garrison refused to answer the question.

Garrison did not reply to this.

Both Wegmann and Christenberry noted that prior testimony indicated Vernon Bundy's testimony against Shaw became available only after Shaw had been arrested and charged with conspiring to kill Kennedy.

Wegmann then tried to bring up a conference between Garrison, former assistant DA Charles Ward and former assistant DA and now Criminal District Court Judge Alvin Oser as to whether Bundy should be used in the conspiracy trial.

GARRISON AGREED such a conference probably was held but said Wegmann was "on a fishing expedition based on the questions you have been asking for the last hour."

Garrison declined to answer any further questions about Bundy.

Judge Christenberry said he would not insist on Garrison answering the questions but the current hearing is being held on order of the Fifth Circuit Court of Appeals and he would base his judicial decision on testimony from other witnesses if Garrison refused to answer.

Wegmann then tried to pursue questions indicating Bundy and Russo told different stories at the preliminary hearing and at the conspiracy trial but were not prosecuted for perjury.

GARRISON REFUSED to answer the questions about Bundy and Russo in any detail, saying, "I don't recall whether they were charged with perjury. There are so many cases at Tulane and Broad that I cannot remember."

Garrison also said he could not remember if any other defendant who testified on his behalf has been tried for perjury during his tenure as district attorney.

WEGMANN THEN turned to questions about press releases and press conferences by Garrison during the buildup to the Shaw trial.

Garrison said at one point he issued a press release in which he condemned an article in the National Observer which he felt unfairly indicated Shaw's guilt.

Pointing a finger at Shaw, who was seated about 25 feet away, Garrison said, "I would infinitely rather see Clay Shaw acquitted rather than see him convicted and have a trial about which there were any questions."

WEGMANN THEN asked, "Isn't it true that at one time or another you have said the CIA, FBI, Justice Department, oil-rich Texas millionaires, members of the Dallas Police Department and military-industrial complexes and sundry other places were responsible for the murder of President Kennedy?"

"I never made any such statement," Garrison said.

Wegmann then attempted to go into each of the institutions or persons named to see if Garrison recalled having accused them of complicity in the murder.

Garrison agreed that he had implicated the CIA in the murder but said the FBI and the Department of Justice played a role only in covering up the murder "rather than planning the assassination."

HE SAID THERE are no indications that either the Dallas police force or oil-rich Texas millionaires had anything to do with the Kennedy assassination.

Wegmann attempted to proceed down the list but Judge Christenberry stopped him, saying, "You are going a little far afield now."

Q. Are you familiar with Truth and Consequences?

A. Yes, of course.

Q. Who is Louis Ivon?

A. My chief investigator.

Wegmann then introduced a series of checks paid Ivon supposedly in connection with Garrison's investigation of the Kennedy assassination. Wegmann asked Garrison if he could identify each of the checks, which were made out for $1,500, and Garrison replied that he could not but that his bookkeeper, Daniel Jones, could.

"I have instructed Mr. Jones to make all of the records concerning Truth and Consequences available to you," Garrison said.

Q. Who had the right to sign checks issued or drawn on the Truth and Consequences and Jim Garrison funds.

A. James Alcock and me.

Q. Did you ever authorize Ivon to draw money from Truth and Consequences and not deposit it in the Jim Garrison fund as had been practiced for financing the investigation?

A. I don't recall but there were times when investigators were required to make trips to other cities to check out leads and it was possible that this sort of thing might have been done.

Q. What kind of accounting controls did you have on your records?

A. We kept tabs on the account in a general way because without such controls we would not have been able to operate. Our records were not specific and of course if our accounting procedures were compared to those of the Bank of New Orleans, we would come in second.

Garrison was asked what were the terms of a personal loan for $30,000 given him by automobile executive Willard E. Robertson.

"The only stipulation he made," Garrison said, "was that I pay him when it became convenient."

Q. Did your investigation go beyond Clay Shaw?

A. There were many ramifications of the case which went beyond Shaw. We were interested in forces and not in individuals and as it developed we were ultimately successful. None of the checks paid Ivon have anything to do with Shaw.

Q. Do you recall the two $5,000 checks from Gov. John J. McKeithen?

A. I only recall one check. If there were two checks it is either an accident in typing or an accident in my recollection. Again, the check had nothing to do with Shaw.

Wegmann showed Garrison documentation of two checks paid by McKeithen to Truth and Consequences over a two-year period and asked him if the recognized the checks.

"I only recall the one check," Garrison said.

Judge Christenberry asked Garrison at this point if it wasn't true that most of the investigation of Shaw took place after he was arrested.

"A great deal of cooperative investigation of Shaw took done after his arrest," Garrison said. "But most of the investigation was not spent on Shaw."

Q. Did you give Gov. McKeithen an accounting of how the checks were spent?

A. No.

Q. Did he ask for one?

A. No, he didn't.

Wegmann then presented what he said was an accounting of funds for Truth and Consequences and the Jim Garrison fund, asking Garrison if he could substantiate expenditures of the money, which amounted to $99,488. Garrison replied that he thought asking such questions was irrelevant and accused Wegmann of conducting a "fishing expedition."

"TO ANSWER such a question would be violating my duty because I would be giving information I do not have available," Garrison said.

The district attorney refused to answer several subsequent questions concerning the financing of T&C on the same grounds.

Wegmann then asked Garrison if he is the author of a book entitled "Heritage of

Stone."

Garrison said he did write the book.

"HOW LONG did it take you to write the book?"

"About two years," he answered.

Q. What is the subject matter?

A. It concerns the transition of America from a state controlled by its citizens to a state controlled by its warfare machine.

Q. Isn't it true that most of the information used in the book was gathered while you were investigating the death of John F. Kennedy?

A. Yes.

Q. Is that investigation still in effect?

A. It has been completed. We have reached a conclusion that has made further investigation unnecessary.

Q. Did anything contained in the book come out of the investigation of Shaw?

A. Yes. We accumulated so much information that it could not all be put into the book. I would like to put it in a public report to the citizens of New Orleans. There was just not room enough for all the information in the book.

Q. Do you have a royalty interest in the sale of your book?

A. Yes, I have a royalty interest in the book and a contract for three other books.

Q. Will the other books be based on your assassination probe?

A. No.

Q. Haven't you been advised to keep your name before the public in connection with the sales of your book?

A. No, but the public relations department of my publisher did ask me to make appearances in the East. I did not have time, however, to make those appearances because of my back infection.

Garrison said he has refused other offers to appear in public to publicize his book primarily because of Shaw's upcoming perjury trial.

"I DIDN'T WANT to do anything on my part to have this man convicted," he said.

He was asked where he was the night the jury acquitted Shaw of conspiracy charges on March 1, 1969.

"I was in my office."

Q. Who told you of the decision?

A. I was informed by a phone call from Barbara Berrigan, a friend.

Q. What was your reaction to the decision?

A. I had no great reaction one way or the other, except that I had done my duty and done my bst. It was like getting an ordeal completed.

Q. During the period from the end of the conspiracy trial to the filing of perjury charges against Shaw, did you turn up any new witnesses?

Garrison objected to answering the question, again accusing Wegmann of conducting a fishing expedition.

Volz objected to the question and Judge Christenberry sustained him.

Q. When did you decide to charge Shaw?

Garrison again refused to answer. The district attorney was asked if two editorials appearing in the States-Item and The Times-Picayune, which called for his resignation, in any way affected his decision with charging Shaw with perjury?

A. "No, it had no effect on me. In fact, if it had, I think it would have caused me not to charge him. I still have a warm feeling for the two papers. In fact the first copy of my book was sent to Ashton Phelps (publisher of the papers)."

THE LAST witness before luncheon recess was Hugh Aynesworth of Newsweek magazine.

He testified that at the time of the assassination of President Kennedy he was a reporter for the Dallas Morning News and was at the scene of the murder and later at Oswald's arrest.

He said that because of his close connection with the case a French journalist arranged for him to come to New Orleans to meet with Garrison.

AYNESWORTH SAID he met with Garrison at the district attorney's home and then went to Garrison's office in company with Sciambra.

He said Garrison allowed him to see address books and a number of photographs which the district attorney felt were related to the case.

Aynesworth said after serving a stint as a Time-Life reporter and closely watching the Garrison investigation he went to Newsweek, where he wrote an article critical of the Garrison probe, calling it a farce.

WEGMANN SOUGHT to have the witness testify that he received threatening calls as a result of the Newsweek story but the judge ruled this out of order on the grounds that the threats were hearsay.

Sciambra then took over the cross-examination, seeking to prove that at one point Aynesworth went to Clinton carrying a list of prosecution witnesses taken from the district attorney's office. Sciambra said Aynesworth used the list to interview prospective witnesses against Shaw.

The assistant district attorney said the list Aynesworth took to Clinton was taken by Thomas Bethel, who allegedly turned over the DA's trial brief to Shaw's defense attorneys.

Criminal charges against Bethel are pending in Criminal District Court.

Aynesworth denied having gotten his list from defense attorneys and was released at about 12:30 p. m. when the judge ordered a lunch recess.



Joseph M. Rault Jr. one of the founders of Truth and Consequences Inc., a group formed to help District Attorney Jim Garrison finance his investigation of the assassination of President John F. Kennedy, arrives to testify at today's hearing in federal court on a request to block the perjury trial of Clay L. Shaw. (States-Item photo.)

FD-350 (Rev. 7-16-63)

(Mount Clipping in Space Below)

JFK PROBE IS ENDED, GARRISON DECLARES

By CHARLES ZEWE
and ~~ALLAN~~ KATZ

District Attorney Jim Garrison said today his investigation of the assassination of President John F. Kennedy "has been completed."

Garrison, testifying as a defendant in a suit by Clay L. Shaw who seeks to have perjury charges against him thrown out, said of his Kennedy probe, which received worldwide publicity:

"We have reached a conclusion that has made further investigation unnecessary."

HE DID NOT SAY what that conclusion was. "I would like to put it in a public report to the citizens of New Orleans," the DA added.

Garrison's probe began late in 1966 and was first publicly revealed in The States-Item Feb. 17, 1967. It has been dormant, at least as far as publicity is concerned, since Shaw was acquitted March 1, 1969, on charges that he conspired to kill Kennedy.

Shaw was charged with perjury on the basis of his testimony in the conspiracy trial and the current hearing in federal court is on his plea that the charges be thrown out because his civil rights are being violated. The hearing moved into its second day today before U.S. District Judge Herbert W. Christenberry.

Garrison's epitaph for the probe came while he was being questioned by Shaw attorney William Wegmann about a book he wrote entitled "Heritage of Stone."

THE BOOK IS AN issue in the current proceedings because of Shaw's allegation that the DA has a financial interest in prosecuting him, that is publicizing the book.

62-109060-1971

(Indicate page, name of newspaper, city and state.)

PAGE 1

SECTION 1

THE STATES-ITEM

NEW ORLEANS, LA.

Date: 1-26-71
Edition: FINAL
Author:
Editor: WALTER G. COHAN
Title: ASSASSINATION OF PRESIDENT JOHN F. KENNEDY, TEXAS
Character: 11-22-63
or
Classification: 89-69
Submitting Office: N. O., LA.

☐ Being Investigated

SEARCHED ____ INDEXED ____
SERIALIZED ____ FILED ____
JAN 27 1971
FBI — NEW ORLEANS

Garrison said it took him about two years to write the book and said its subject matter "concerns the transition of America from a state controlled by its citizens to a state controlled by its warfare machine."

After Garrison admitted that most of the information in the book was gathered in the Kennedy probe, Wegmann asked the DA if the investigation is still in effect.

GARRISON SAID, "It has been completed."

Asked if anything in the book came out of the investigation of Shaw, Garrison said:

"Yes. We accumulated so much information it could not all be put into the book. I would like to put it in a public report to the citizens of New Orleans. There was just no room enough for all the information in the book."

GARRISON SAID he has a royalty interest in the sale of the book and a contract for three other books.

He said he has refused offers to publicize the book because it might influence Shaw's perjury trial.

At one point, Wegmann asked the court's permission to introduce a copy of "Heritage of Stone" in evidence and Garrison interjected:

"If you like, I'll be glad to autograph it for you."

ON ANOTHER MATTER, Garrison confirmed that funds were received from John J. McKeithen to help finance the probe. James A. Alcock, former first assistant DA, acknowledged in yesterday's session that two checks for $5,000 each were received from McKeithen.

In a discussion of his office's handling of the funds used in the probe, Garrison said at one point:

"If our accounting procedures were compared to those of the Bank of New Orleans, we would come in second."

While talkative on some points, Garrison was recalcitrant when it came to disclosing details of the Kennedy probe.

HE CLASHED with Shaw's attorneys several times when pressed for such disclosures. Judge Christenberry refused to force the DA to answer but made it clear he would consider the refusal when making his final decision on whether to permit the state to proceed with the perjury trial.

The first such clash came as follows:

Under questioning by William Wegmann, Garrison was asked:

"What witnesses did you have on March 1, 1967, to base your order to arrest Clay Shaw?"

Garrison objected to answering, saying:

"In my considered judgment, I would not be doing my duty to answer the reasons for making a policy decision."

JUDGE CHRISTENBERRY interjected that the "the question doesn't involve policy." But Garrison insisted that he would be "in violation of my oath of office, so I must refuse to answer."

Wegmann asked the judge to order Garrison to answer but Judge Christenberry said, ". . . If he refuses to answer, we'll have to assume there was just one witness."

Shaw's attorneys have sought to show that Shaw's arrest was based solely on the story of Perry Raymond Russo, whose tale of an assassination plot meeting was elicited under hypnosis.

WEGMANN THEN turned to the crux of the perjury charge, Garrison's claim that Shaw knew accused presidential assassin Lee Harvey Oswald and the late David W. Ferrie, whom Garrison named as a co-conspirator in the Kennedy plot.

Garrison charges Shaw lied under oath when he said in the conspiracy trial he never knew Oswald or Ferrie. Shaw's attorneys contend the perjury charge is invalid because the jury which acquitted Shaw in effect ruled on the validity of his testimony.

Wegmann asked Garrison if the alleged association of Shaw, Oswald and Ferrie was an "essential element of your original case." Garrison replied:

"YES, IT IS my recollection at the time of the prosecution that either one of those two men would have been essential witnesses."

Questioned further, he said the association was "part of the theory of the state's case."

Garrison also testified there "was never any attempt to involve Shaw" in events in Dealy Plaza in Dallas where the assassination occurred.

The DA said Charles Speisel, a witness who testified about an alleged assassination plot in the conspiracy trial, "was not a very good witness." He said he did not want to put him on the stand but did so at the urging of chief prosecutor James L. Alcock.

ASKED IF HE believed Russo's story, Garrison said:

"I believed it then and I believe it now."

Garrison became visibly annoyed when asked about another witness, Vernon Bundy, who testified in the conspiracy trial he saw Shaw and Oswald together. He again said he would be violating his oath of office to answer.

Judge Christenberry again refused to force Garrison to answer, saying that Alcock testified on that point yesterday and the prior testimony would be accepted as accurate if the DA refused to talk. Garrison did not reply.

THE JUDGE AND Wegmann noted that Alcock's testimony indicated Bundy's information against Shaw became available only after Shaw was arrested.

Garrison declined to answer any further questions about Bundy, charging Wegmann was "on a fishing expedition."

The judge again stressed that when Garrison refuses to answer, he will base his decision in the case on testimony from other witnesses.

AT ONE POINT, during questions about his office's conduct of the conspiracy trial, Garrison pointed his finger at Shaw and said:

"I would infinitely rather see Clay Shaw acquitted than see him convicted and have a trial about which there were any questions."

In yesterday's session, Judge Christenberry raised the question of whether

Shaw's case was handled differently from that of other defendants.

CHRISTENBERRY, a 23-year veteran of the federal bench, let it be known yesterday he thinks at least one part of the case didn't seem to be handled right.

". . . I saw on television when Shaw was in the courtroom corridor the day he was arrested on a charge of conspiring to kill President John F. Kennedy surrounded by police and district attorneys," Christenberry said yesterday on one of the several occasions he interrupted testimony in the hearing to make comments.

"It seemed confused. As far as that goes, it didn't seem to be handled like any other trial," the judge added.

Christenberry asked several questions during the hearing about the assassination trial. At one point he asked how long the jury was out.

"Fifty-five minutes," answered one of the attorneys.

Christenberry shook his head in bewilderment, saying, "Fifty-five minutes after a 40-day trial."

He added with a smile that this hearing isn't going to last as long as the trial lasted.



DA arrives to testify

District Attorney JIM GARRISON, right, is accompanied by investigator STEVE BORDELON as he arrives at federal court to testify in the hearing to bar him from prosecuting Clay L. Shaw on perjury charges.

(Mount Clipping in Space Below)

Russo Waits to Testify In Third Day of Hearing

Perry Raymond Russo, the witness District Attorney Jim Garrison hoped would link Clay L. Shaw to a John F. Kennedy murder plot, still was waiting to testify today as a federal court hearing to block further prosecution of the retired New Orleans businessman moved into its third day.

Russo, a principal witness in Shaw's 1969 conspiracy trial, has claimed he was at a party where Garrison contends the plot to murder the president was planned.

Yesterday Garrison spent nearly two hours testifying during the hearing aimed at winning a permanent injunction against the district attorney's efforts to prosecute Shaw on a charge of perjury.

GARRISON WANTS to try Shaw for perjury, contending that Shaw lied when he told the jury that acquitted him of conspiracy that he did not know either Lee Harvey Oswald or David Ferrie, both listed as coconspirators.

Garrison proved somewhat of a reluctant witness yesterday refusing to answer questions pertaining to the number of witnesses he had against Shaw before his arrest in 1967 or other matters of policy.

The DA did say he was considering making a report on his entire Kennedy assassination probe to the citizens of New Orleans.

He also testified that so far as he is concerned the probe of Kennedy's murder is ended. Garrison also said he would rather see Clay Shaw acquitted of the perjury charges than see him convicted in a trial which was tainted by any questions of propriety.

Later, in an interview after he had testified, Garrison was critical of the U.S. role in Vietnam, saying the present generation of Americans may live long enough to see U.S. government officials tried for war crimes.

THE CONTROVERSIAL DA, appearing somewhat drawn and stooped after a recent spinal infection, referred to the assassination of President Kennedy as a coup d'etat carried out by elements of the U.S. government.

Garrison was one of five persons called to the stand yesterday in the hearing being presided over by Federal District Judge Herbert W. Christenberry. Shaw's attorneys also called Joseph M. Rault Jr., a key figure in the formation of Truth and Consequences, a private group that funded Garrison's investigation; Hugh Aynesworth, a Newsweek magazine reporter who wrote a story calling Garrison's investigation "a farce;" Police Lt. Edward O'Donnell, who administered a lie detector test to key prosecution witness Perry Raymond Russo, and William Gurvich, a private investigator who once worked for Garrison.

However, it was Garrison who dominated the hearing during his two-hour stay in the witness chair. He refused to answer questions which he said were "a fishing expedition" by defense attorneys and, when a copy of his book, "Heritage of Stone," was offered in evidence by Shaw's counsel, the DA quipped, "Would you like me to autograph it for you?"

EXPECTED TO BE called at today's hearing are Daniel J. Jones, Garrison's bookkeeper who handled the $99,488 reportedly donated to the DA's investigation, and Louis Ivon, a policeman assigned to the DA's office who cashed checks worth thousands of dollars turned over to him by officers and key figures in Truth and Consequences.

Rault, a prominent New Orleans businessman, testified yesterday that he turned over large sums of money to Ivon without inquiring as to how the

42-109060-6958

(Indicate page, name of newspaper, city and state.)

PAGE 1

SECTION 1

THE STATES-ITEM

NEW ORLEANS, LA.

Date: 1-27-71
Edition: COMET
Author:
Editor: WALTER G. COHAN
Title: ASSASSINATION OF PRESIDENT JOHN F. KENNEDY, TEXAS
Character: 11-22-63
or
Classification: 89-69
Submitting Office: N.O., LA.

☐ Being Investigated

SEARCHED ____ INDEXED ____
SERIALIZED ____ FILED ____
JAN 27 1971
FBI — NEW ORLEANS

money would be spent.

Rault also said contributions continued to flow to Garrison after Shaw's arrest, which occurred about a week after the formation of Truth and Consequences.

HOWEVER, RAULT denied that any plot existed, so far as he knew, to "get" Clay Shaw.

In other testimony, Gurvich, a private investigator hired by Garrison to work on the Kennedy assassination probe and later fired by the DA, said:

—He was told by Garrison of plans to "raid the FBI office" with officers using "red pepper guns" and confiscate tapes made from conversations of Garrison and staff members. Gurvich told Volz he believed Garrison was serious about this.

—He flew, at Garrison's instructions, to Las Vegas about March 10, 1967, with "six bullets and a green sports shirt." While there, he went to the Thunderbird Hotel and got tape recordings and pictures of two actors in a show, "Bottoms Up." Gurvich said Garrison told him the actors were in Dallas the day President Kennedy was shot.

—He was ordered to arrest CBS investigator Walter Richard Sheridan and former WDSU-TV reporter Richard Townley, handcuff them and beat them.

HOWEVER, GURVICH testified "it was anticipated that Townley and Sheridan would do something illegal."

But he said he talked this over during a period of several days with James L. Alcock, then an assistant DA, and never made an arrest.

Testimony given by Lt. O'Donnell was a repetition of testimony given during the Shaw conspiracy trial.

HE SAID HE QUESTIONED Russo on two occasions and was asked by the Garrison office to give Russo a polygraph (lie detector) test.

But, O'Donnell testified, the polygraph tracings "were too erratic and he continued to move . . . he said he was under a great deal of pressure and was sorry he got involved in this mess."

Russo at first gave a statement that he was present when Shaw, Ferrie and Lee Harvey Oswald, accused assassin of President Kennedy, discussed how to commit an assassination.

Shaw has insisted he did not know Oswald or Ferrie.

AFTER A NUMBER of questions, Russo finally said of Shaw's alleged presence with Ferrie and Oswald, "If you really want to know, I would have to say no," O'Donnell testified.

Also discussed at yesterday's hearing were two $5,000 checks apparently sent to Garrison for his investigation by Gov. John J. McKeithen.

Garrison said he could only recall receiving one of the checks which he said was sent to him by McKeithen as a result of a conversation.

The governor has not yet commented on the authenticity of the checks or his role in Garrison's probe.

FD-350 (Rev. 7-10-63)

(Mount Clipping in Space Below)

DA Witness Hanged Self, Clinton Records Confirm

Garrison Had Planned to Call Him in Shaw Trial

Records in Clinton, La. confirmed Tuesday that one of the witnesses District Attorney Jim Garrison recently said he planned to call in the Clay Shaw perjury trial hanged himself in the Clinton jail on June 6, 1968.

The man, Andrew Haden Dunn, who was jailed on a drunkenness charge, hanged himself with his belt, according to Clinton records.

Last week, in his answer to Shaw's U.S. District Court motion to suppress the perjury trial, Garrison identified Dunn as one of 10 witnesses the "district attorney's office has interviewed and intends to present" in its perjury case against Shaw.

His answer said Dunn and the other witnesses observed Shaw in the company of Davied Ferrie and Lee Harvey Oswald.

IDENTITY INCORRECT

But William Alford, an assistant district attorney, said Tuesday the answer incorrectly identified Andrew Dunn as one of the witnesses and said the answer should have identified the witness as William E. Dunn, a Clinton construction and farm worker who testified in the 1969 Shaw conspiracy trial.

In that trial Shaw was acquitted of the charge that he conspired to assassinate President John F. Kennedy.

Garrison claims, however, that Shaw lied during that trial when he testified he did not know Oswald and Ferrie.

William Dunn testified in the 1969 trial that he was working in a civil rights voter registration drive in Clinton during the summer of 1963, that he saw Oswald in the voter registration line and that he saw Shaw in a parked automobile.

MARSHAL RESIGNS

Investigation in Clinton also revealed Tuesday that another witness Garrison identified in his answer as the Clinton town marshal had, in fact, resigned and moved from the town some time ago.

In his answer Garrison said the witness, John Manchester, would testify that, during civil rights demonstrations that summer in Clinton, he saw an automobile parked on a street and that "he established by talking to the occupants of the car that they were from the International Trade Mart in New Orleans.

"He identified the occupants of the car as Clay Shaw and David Ferrie."

(Indicate page, name of newspaper, city and state.)

PAGE 10

SECTION 1

THE TIMES-PICAYUNE
~~NEW~~ ORLEANS, LA.

Date: 1-27-71
Edition:
Author: GEORGE W. HEALY JR.
Editor:
Title: ASSASSINATION OF PRESIDENT JOHN F. KENNEDY, TEXAS 11-22-63
Character:
or 89-69
Classification: N.O., LA.
Submitting Office:

☐ Being Investigated

SEARCHED ____ INDEXED ____
SERIALIZED ____ FILED ____
JAN 27 1971
FBI — NEW ORLEANS

LL

62-109061-1078

(Mount Clipping in Space Below)

GARRISON CONSIDERING PUBLIC PROBE REPORT

Court Told Information Is Voluminous

District Attorney Jim Garrison said Tuesday in federal court that he will probably make a public report to the citizens of New Orleans on his investigation of the assassination of President John F. Kennedy.

Garrison testified for more than two hours before Federal District Judge Herbert W. Christenberry, who is hearing a plea by attorneys for Clay L. Shaw that an injunction be issued blocking Garrison's proposed trial of Shaw on perjury charges.

Shaw was acquitted on a charge that he conspired to assassinate President Kennedy; and the perjury charge grew out of his testimony during that trial that he did not know Lee Harvey Oswald, the President's alleged assassin, and David W. Ferrie, who was named as a coconspirator along with Shaw.

Shaw claims that his civil rights are being violated by the perjury charge and that Garrison has a monetary interest in the prosecution of the case because of his book entitled "Heritage of Stone."

Shaw was acquitted by a Criminal District Court jury of the conspiracy charge March 1, 1969.

IT 'LIES AHEAD'

Garrison was asked by Judge Christenberry if anything came out of his investigation of the President's assassination except the arrest of Shaw.

Garrison replied: "Yes, the information is so voluminous that it is still a matter that lies ahead. It probably will be a report to be made to the citizens of New Orleans."

Prior to this, he testified that, insofar as the assassination probe is concerned, he has concluded further investigation is unnecessary and it is at an end.

Alluding to the Warren Commission report, Garrison added that his report will "not take 75 years."

In an interview after the court session, Garrison said the present generation may live long enough to see U.S. government officials brought to trial for war crimes.

"There haven't been just hundreds of thousands killed in Vietnam, but millions, and it parallels what happened in Germany (in World War II)," Garrison said.

"What I tried to do was oppose the execution of John Kennedy by the Pentagon-CIA (Central Intelligence Agency). I tried to obstruct the success the government had in its first coup d'etat."

Joseph M. Rault Jr., one of the organizers of Truth and Consequences, an organization to finance Garrison's investigation, was the first witness called as the hearing entered its second day.

He was on the stand only about 10 minutes when it was announced that Garrison was in the building. Attorneys for Shaw then announced that they would interrupt their questioning of Rault to call Garrison to the witness stand.

Garrison, who has been suffering from a back ailment, peared drawn and stooped, but at one point when asked by Judge Christenberry if he wanted a recess, he replied, "I'm fine."

'Fishing' Is Alleged and Answers Refused

On several occasions Garrison refused to answer questions put to him by William J. Wegmann, one of Shaw's attorneys, claiming that it would violate his oath as district attorney and that Shaw attorneys are on a "fishing expedition."

Also representing Shaw are Edward F. Wegmann, F. Irvin Dymond and Salvatore Panzeca.

Garrison is being represented by three of his assistants, John Volz, William Alford and Andrew J. Sciambra.

Much of the first portion of Garison's testimony dealt with his dealings with Perry Raymond Russo, one of the principal witnesses at the conspiracy trial, who claimed that he attended a meeting in Ferrie's apartment at which the assassination was planned.

During his testimony Garrison also corroborated earlier references to two contributions of $5,000 each by Gov. John J. McKeithen to the assassination probe fund.

When Garrison was called to the stand, attorneys for the state renewed their objection to the proceedings, claiming that the hearing to enjoin a state prosecution violates the 10th amendment to the United States Constitution. The objection was denied.

(Indicate page, name of newspaper, city and state.)

PAGE 1

SECTION 1

THE TIMES-PICAYUNE

NEW ORLEANS, LA.

Date: 1-27-71

Edition:

Author: GEORGE V. HEALY JR.

Editor:

Title: ASSASSINATION OF PRESIDENT JOHN F. KENNEDY, TEXAS

Character: 11-22-63

or

Classification: 89-69

Submitting Office: N.O., LA.

☐ Being Investigated

SEARCHED ____ INDEXED ____
SERIALIZED ____ FILED ____
JAN 27 1971
FBI — NEW ORLEANS

62-109060-6988

Asked by Wegmann when the investigation of the assassination began, Garrison said that the first phase began a few days after it was learned that Oswald spent summers in New Orleans.

He said that this was a short investigation and resulted in the arrest of Ferrie. The prosecutor said that results of that investigation were turned over to the Federal Bureau of Investigation.

"We then let the matter go because it appeared the federal government was looking into it. Later we found it was a fake investigation."

Garrison said that Shaw was first called to his office in the early part of 1967. He was not advised that he was a suspect, Garrison asserted, because at that time he was not a suspect. At that time Shaw was not represented by counsel and was first questioned by Sciambra.

'GRADUAL THING'

Asked when Shaw first became a suspect, Garrison said that it was a gradual thing, but added "I could say it was sometime after a second interview."

He added, "There was something about his answers which did not correspond to the questions and did not fit."

Garrison said that, after Sciambra met with Russo in Baton Rouge, Sciambra told him of the alleged meeting in Ferrie's apartment on Louisiana ave. where the assassination allegedly was planned. At that time, Garrison testified, he made no determination of the truth of Russo's statement.

Judge Christenberry asked what prompted Sciambra's trip to see Russo.

Garrison replied that he had already been getting information on Shaw, and the trip was prompted by an announcement in the press by Russo regarding the alleged meeting on Louisiana ave. shortly after Ferrie's death.

Garrison testified that he later determined that hypnosis of Russo would be useful to corroborate his testimony and that it was done under supervision of Dr. Nicholas J. Chetta, then Orleans Parish coroner, and Dr. Esmond Fatter.

He said that Russo was given sodium pentathol once on his instruction to "obtain an additional degree of corroboration." he added that the only post-hypnotic suggestion given Russo was to tell the truth.

Garrison was asked what witnesses he had on March 1, 1967, when Shaw was arrested, upon which he based the arrest.

Garrison answered that the question was one asking for the reason for a policy decision, and he claimed that he would not be doing his duty if he answered a question regarding a policy decision.

Judge Christenberry said that the question was a simple one and no policy was involved; but after the court was asked by Wegmann to instruct Garrison to answer, Judge Christenberry said that, as long as he did not answer, it would be assumed that he had only one witness.

ASSIGNED TO ALCOCK

Under further questioning Garrison said that he was in charge of the investigation personally; and the trial of Shaw was assigned to James Alcock, then an assistant district attorney.

He was asked if it was an essential element of the state's case to show that Shaw knew and was associated with Oswald and Ferrie.

Garrison said that either one of the two would have been essential to the prosecution. He said that association of Shaw with Ferrie or Oswald was a part of the theory of the state's case.

Garrison testified that none of the witnesses from Dallas ever made reference to Shaw and there was no attempt to connect Shaw to the Dallas events.

"The theory of the case was in two parts," Garrison related, "the pre-assassination in which Oswald was set up as a Patsy, and the second was what later followed in Dallas. At no time did we ever attempt to show that Shaw had any part in the Dallas events."

He said that Dallas events were important to his case but did not involve Shaw.

Garrison maintained that individuals in New Orleans "setting up Oswald as the scapegoat" were not connected with those in control of Oswald in Dallas, who were referred to as the "housekeepers" and "babysitters" of Oswald.

At one point in his testimony, Garrison said that, if at any time during the investigation he had developed anything indicative of the innocence of Shaw, he would have considered it his duty to turn it over to Shaw's attorneys.

Denies Ordering Report Destroyed

He denied that he ordered a report of a lie detector test made on Russo destroyed because it contained several derogatory statements about Russo.

Garrison testified that, after interviewing Police Lt. Edward O'Donnell, who administered the test, he did not consider it an honest report. "It was our evaluation that the report was not accurate and true," he said.

Judge Christenberry interrupted the questioning at one point to ask Garrison if he wanted a recess; but Garrison told the judge "I'm fine."

Wegmann asked Garrison if he believed Russo's story about the meeting in Ferrie's apartment in which the assassination allegedly was planned; and he replied, "I believed it then, and I believe it now."

Shaw's attorney then asked Garrison, "If there was such a meeting, why did you not arrest Russo?"

An objection to the question was sustained.

Several times during his interrogation, Garrison accused Wegmann of being on a "fishing expedition" and refused to answer questions, claiming that it would violate his oath as district attorney.

After one refusal, Judge Christenberry told Garrison, "You may think this is a fishing expedition, but this hearing was ordered by a panel of the Fifth Circuit Court of Appeals. If you are not going to answer . . . we have testimony from other witnesses and I will not insist on it."

Garrison was asked how many defendants who have been acquitted since he has been district attorney have been charged with perjury.

'NO RECOLLECTION'

"I have indicated that the record keeping system of the office is not good to this particularity, but I have no recollection," he answered.

Wegmann then asked how many who have taken the stand in their own behalf and were acquitted have been charged with perjury.

Judge Christenberry then said, "I suppose it would be the same answer."

Garrison replied that, since his becoming district attorney, it is the first time that a president of the United States was shot.

Garrison said at one point that he would rather have seen Shaw given a fair trial and acquitted than convicted.

Asked if he made statements that the Central Intelligence Agency, the Federal Bureau of Investigation, the Department of Justice, the Dallas police department, the military industrial complex and others conspired to assassinate President Kennedy, Garrison replied that he has made statements about the CIA, but the FBI played no role in the crime but did play a role in concealing it. He added that neither the Department of Justice nor the Dallas police had any role in the assassination that he could discuss.

Asked about the role of "oil-rich Texas millionaires," Garrison said that there was no indication they played any active role in the assassination.

He was then questioned about his connections with Truth and Consequences.

Questions of Money Referred to Bookkeeper

He was asked about a series of checks made out to Louis Ivon, an investigator in the district attorney's office. Garrison referred all these questions to his bookkeeper, Danny Jones, and he said that he would instruct Jones to supply Shaw attorneys with any information available.

He testified that virtually all money collected by Truth and Consequences concerned investigation subsequent to the arrest of Shaw because the investigation went far beyond Shaw.

"We were interested in the forces behind the assassination," he asserted.

Judge Christenberry asked, "Isn't it true that most of the investigation of Shaw took place after his arrest?"

Garrison replied that a great deal of corroborative investigation was done after the arrest.

Garrison was shown two $5,000 checks from Gov. John McKeithen. He said that he had a personal recollection of only one of these checks, because of it was the result of a conversation he had with the go vernor.

He said that he gave the governor no accounting for what the check was spent on and was not asked for any.

Questioned about the $99,488 contributed by individuals for the investigation, Garrison termed it "considerably less than the $1 million spent for the Warren commission."

Other questions regarding how the money was spent were referred to his bookkeeper. "He is available and will make any records he has available," Garrison said.

Judge Christenberry commented that, if the records are not accurate, "We may hear from Mr. Garrison later." The judge added, "Keep in mind, these are not official funds."

Garrison was asked if he is the author of the book "Heritage of Stone" and that it took him two years to write.

He said that the subject matter is essentially the transition of America from a state controlled by its citizens to essentially a state controlled by its warfare machine.

PROBE CONCLUDED

He said that, insofar as the Kennedy assassination investigation is concerned, he has concluded that further investigation is unnecessary.

Judge Christenberry asked if anything came out of the investigation besides the arrest of Shaw, and Garrison replied: "Yes, the information is so voluminous that it is still a matter that lies ahead. It probably will be a public report to be made to the citizens of New Orleans."

Garrison admitted that he has a royalty interest in the book but denied that he was advised by the publishers to keep his name in the spotlight.

He said that he has refused to appear at bookstores to autograph copies of the book because he feels it may be unfair in view of the impending Shaw trial.

He added that he wants the perjury case handled as any other case and does not want anything to be interpreted to mean that he wants Shaw convicted.

"Primarily my concern is for the individual. No one would be happier than I to see Shaw acquitted if the evidence so develops," he asserted.

Exnicious Testifies Conversation Was Taped

On Monday, Attorney Hugh Exnicious testified that in early March, 1967, during Shaw's preliminary hearing, he (Exnicious) met in his office with Alvin Beaubouef and Lyn Loisel and that their conversation was taped, but that he no longer had the tape or knew what had become of it.

Hugh Ainsworth, a former reporter of the Dallas Morning News and Newsweek Magazine, testified Tuesday he was invited to New Orleans by Garrison and met with him for the first time at Garrison's home one morning.

Judge Christenberry asked Wegmann the point of this line of questioning and he replied that it was to show threats were made upon Ainsworth after he wrote about Garrison's probe of the Kennedy assassination.

Ainsworth was asked when and where Garrison showed him evidence pertaining to Shaw. Ainsworth answered that Garrison had instructed one of his assistants, Jacob Sciambra, to go to his office, where he (Ainsworth) was shown several photographs.

Ainsworth said under further questioning that he did not see whips and ropes but he did see an address book and photos.

In an article Ainsworth said the investigation was a farce, Ainsworth testified.

Ainsworth also testified that he has never characterized himself as an "assassination buff."

The writer said he did not think a newsman would be allowed to see evidence in the case as he was.

Later Tuesday Rault testified he signed substantial checks at the request of Garrison or a member of his staff.

He said he did not know exactly how the money was spent but was promised an accounting at the end of the Kennedy assassination investigation.

He testified that he wrote eight checks totaling $15,650 from the Jim Garrison Fund bank account to Ivon or Jones, most of them made out to Ivon.

Rault said the only condition of Garrison's getting contributions was that the money be used for investigation of the Kennedy assassination only.

After a question from Volz—"Did you conspire to get Clay Shaw, that is, to fabricate a case against him?"—Rault answered, "Absolutely not."

But Rault admitted that contributions continued to flow to Garrison after Shaw's arrest, largely because of pledges made to contribute.

Ivon told Edward Wegmann he cashed the checks for investigation expenses but could not recall offhand exactly how the money was spent.

Ivon said that expense records will show this, adding that Jones can testify to this in detail.

TO CALL JONES

Before the hearing recessed, Wegmann said he will next call Jones, and may recall Ivon.

The hearing's starting time Wednesday is 11 a.m.

In other testimony private investigator William Gurvich, who worked on the Kennedy case, said:

—He was told by Garrison of plans to "raid the FBI office" with officers using "red pepper guns" and confiscate tapes made from conversations of Garrison and staff members. Gurvich told Volz he believed Garrison was serious about this.

—He flew, at Garrison's instructions, to Las Vegas about March 10, 1967, with "six bullets and a green sports shirt." While there, he went to the Thunderbird Hotel and got tape recordings and pictures of two actors in a show, "Bottoms Up." Gurv-

ich said Garrison told him the actors were in Dallas the day President Kennedy was shot.

—He was ordered to arrest CBS investigator Walter Richard Sheridan and former WDSU-TV reporter Richard Townley, handcuff them and beat them.

However, Gurvich testified "it was anticipated that Townley and Sheridan would do something illegal."

NEVER MADE ARREST

But he said he talked this over during a period of several days with Alcock and never made an arrest.

Testimony given by Lt. O'Donnell was also a repetition of testimony given during the Shaw conspiracy trial.

He said he questioned Russo on two occasions and was asked by the Garrison office to give Russo a polygraph (lie detector) test.

But, O'Donnell testified, the polygraph tracings "were too erratic and he continued to move . . . he said he was under a great deal of pressure and was sorry he got involved in this mess."

Russo at first gave a statement that he was present when Shaw, Ferrie and Lee Harvey Oswald, accused assassin of President Kennedy, discussed how to commit an assassination.

Shaw has insisted he did not know Oswald or Ferrie.

After a number of questions, Russo finally said of Shaw's alleged presence with Ferrie and Oswald, "If you really want to know, I would have to say no," O'Donnell testified.



—Photo by The Times-Picayune.
JUDGE HERBERT W. CHRISTENBERRY



—Photo by The Times-Picayune.
JOSEPH M. RAULT JR.
Testifies at hearing.

Garrison, Shaw Pass Through Court Corridor



—Associated Press Photo by Jack Thornell.

PASSING THROUGH the corridor outside the courtroom of Judge Herbert Christenberry Tuesday are District Attorney Jim Garrison (left) and Clay Shaw. Garrison was a witness at a hearing on Shaw's plea that perjury charges against him be dropped.

FD-36 (Rev. 5-22-64)

FBI

Date: 1/27/71

Transmit the following in _____ (Type in plaintext or code)

Via AIRTEL _____ (Priority)

TO: DIRECTOR, FBI

FROM: SAC, NEWARK (62-3060)(P)

SUBJECT: ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY
DALLAS, TEXAS
11/22/63
(OO: DALLAS)

Re Bureau airtel to Newark dated 1/26/71.

On 1/27/71, USA's Office, Newark, advised civil action file #44-71 captioned "EMORY L. BROWN, JR., vs JOHN MITCHELL, etc", had been assigned to ROGER S. STEFFENS, AUSA, Trenton.

On 1/27/71, STEFFENS advised that their file consisted of only one copy of the summons and complaint and no action has been taken. He pointed out that the complaint did not have to be answered until 60 days after service of the summons. He said they would answer the summons as soon as the Attorney General had advised them of what action to take. He said they would answer the summons before 60 days had passed and he would advise the Newark Office of the action taken.

62-109060-6989

EX-111

1 JAN 30 1971

2-Bureau
1-Dallas (Info)
2-Newark
RCL/rmr
(5)

XEROX
FEB 2 1971

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

57 FEB 5 1971

U. S. GOVERNMENT PRINTING OFFICE: 1969 O - 354-951

EFBS 1831

FD-36 (Rev. 5-22-64)

FBI

Date: 1/28/71

Transmit the following in _____
(Type in plaintext or code)

Via AIRTEL AIRMAIL
(Priority)

TO: Director, FBI (62-109060)

FROM: SAC, New Orleans (89-69) (P)

ASSASSINATION OF PRESIDENT JOHN FITZGERALD KENNEDY, DALLAS, TEXAS, NOVEMBER 22, 1963
MISC. - INFORMATION CONCERNING
OO: Dallas

Enclosed for the Bureau are three articles appearing in New Orleans newspapers concerning captioned matter.

One copy each of these newspaper articles is enclosed for Dallas and Miami.

2 - Bureau (Enc. 3)
1 - Dallas (89-43)(Enc. 3)
1 - Miami (Enc. 3)
1 - New Orleans
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REC-79 62-109060-6990
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Approved: _____ Sent _____ M Per _____
Special Agent in Charge

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Shaw Hearing Testimony

Criminal District Judge Malcolm V. O'Hara was the first witness today in the third day of a federal court hearing in which Clay L. Shaw seeks dismissal of perjury charges against him.

The charges were brought by District Attorney Jim Garrison, who claims Shaw lied when he testified on his own behalf in his 1969 trial on charges of conspiring to kill President John F. Kennedy.

Judge O'Hara is scheduled to preside at the perjury trial, if it is ever held. Judge Christenberry has enjoined that trial from proceeding until the current hearing is over.

F. Irvin Dymond, a Shaw attorney, questioned Judge O'Hara. Here is the text of the testimony:

DYMOND BEGAN by questioning whether O'Hara was fully familiar with all the evidence in the first Shaw trial when he overruled a defense motion to kill the perjury proceedings.

Q. There was a motion to quash the second bill of information, when was that filed?

A. May 14, 1969.

Q. Is it not a fact that the motion to quash was overruled on Dec. 14, 1969? Was that in any way due to delaying efforts by the defense?

A. I believe the proceedings were extensively delayed due to Jim Garrison's inability to appear in court. (Garrison has been ill for almost a year.)

Q. Did you deliver any verbal or written ruling on your decision to overrule the defense motion?

A. No I did not.

Q. Did you read the entire transcript of the Clay Shaw conspiracy trial?

A. No, I did not.

Q. Did you read the entire testimony in that trial given by Perry Raymond Russo?

A. No I did not. I felt I was aware of Russo's testimony from having been a member of a three-judge panel which held a preliminary hearing in the case.

Q. Were you aware of changes in Russo's testimony?

A. I was aware that changes had taken place through other media.

Q. But you did not have detailed knowledge of these changes?

A. No I did not.

Q. Did you read Jim Garrison's opening argument?

A. Yes I did.

Q. Did you read Jim Garrison's closing argument?

A. Yes I did.

Q. Did you read the entire transcript of Assistant District Attorney James Alcock's rebuttal argument?

A. No I did not, It was not available.

Q. Was the entire transcript of the trial available to you?

A. No it was not.

Q. Did the defense ask to have the entire transcript made available to you?

A. Yes they did.

Q. Did the state of Louisiana (the D.A.'s office) oppose having the full transcript made available to you as being not necessary?

A. Yes they did.

Q. Isn't it a fact that at the hearing you limited the testimony of Jim Garrison to only identifying his opening statement?

A. Yes I did.

Q. Isn't it a fact that you limited James Alcock to only identifying his opening statement?

A. Yes I did. I remember telling both sides that I would limit their testimony to only what I consider to be relevent to the matter at hand.

At this point First Assistant District Attorney John Volz began his cross examination.

Q. Judge O'Hara, did you testify that you presided at a three-judge preliminary hearing in the matter of Clay Shaw?

A. I did.

Q. Did that court find reason to hold Clay Shaw for trial?

At this point a discussion ensued and it was agreed that the three-judge hearing found cause to bind Shaw over for further hearings.

Judge Christenberry then asked if "the three-judge court knew the district attorney had only one witness against Shaw."

VOLZ ROSE to say, "Your honor, there were more than one witness, there were four or five."

Judge Christenberry asked was "Vernon Bundy one of them?"

He was told that Bundy was one of the original witnesses against Shaw. Prior testimony in the current hearing had attempted to discredit Bundy's competence as a witness.

Volz asked Judge O'Hara the reason he allowed Garrison's testiony to be limited.

The judge replied he thought "they were geting into an area of throughly inadmissable" evidence.

VOLZ ASKED if he thought he could judge whether it would be necessary to read the entire transcript of Shaw's 1969 trial.

"Had I thought it had direct or related connection to the perjury charge, I would have," the judge replied.

Daniel Jones, a bookkeeper on Garrison's staff, was the next witness called.

In response to questions by Edward Wegmann, a Shaw attorney, Jones said he has been a member of the district attorney's staff for the past 21 years and has kept accounts

(Indicate page, name of newspaper, city and state.)

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SECTION 1

THE STATES-ITEM

NEW ORLEANS, LA.

Date: 2-7-71
Edition: FINAL
Author:
Editor: WALTER G. COWAN
Title: ASSASSINATION OF PRESIDENT JOHN F. KENNEDY, TEXAS
Character: 11-22-63
or
Classification: 89-69
Submitting Office: N. O., LA.

☐ Being Investigated

SEARCHED ____ INDEXED ____
SERIALIZED ____ FILED ____
FBI — NEW ORLEANS

89-69-Unrec

which were used to finance Garrison's assessination investigation.

WHEN WEGMANN asked fo the total amount received by the DA's office for use in connection with the Kennedy murder probe, Jones answered that $99,488.96 was the correct amount.

Q. Do you know if a substantial amount was used in connection with th einvestigation, arrest and prosecution of Clay L. Shaw.

A. In my mind all of it was used for the investigation.

Wegmann then asked Jones if the $99,488 figure covered the cost of the Shaw trial.

Jones replied, "No, these costs were paid from the usual fines and fees accounts in the district attorney's office."

QUESTIONED about the "Smith Case," Jones said that was the name given Garrison's assessination probe in the beginning.

Volz then told the court that the Smith Case was used only at the beginning of the probe and "the name Smith was never used in place of the name of Mr. Shaw."

Judge Christenberry said: "As far as I'm concerned it is all one."

Concerning donations to the probe fund from Gov. John J. McKeithen, Jones said that as he recalled a $5,000 check from a special account in the governor's office was one of those used in the probe.

Wegmann continued to question Jones.

Q: The next series of items show travel funds.

A: That is correct.

B: Then this next item shows advances to Jim Garrison in the amount of $15,728.

A: That is correct. It reflects funds given to Louis Ivon by Garrison for deposit in the J. G. Safi fund.

Q: Was this money transferred by cash or check?

A: Both.

Q: The next item shows advances by Jim Garrison, including a number of disbursements to and from the Jim Garrison campaign fund.

A: Yes.

Q: There are also a number of expense payments to William Boxley. Who was William Boxley?

A: He was an investigator. I don't know.

Q: Is that the same William Boxley who Mr. Garrison yesterday identified as a CIA agent who penetrated the district attorney's office and then was turned into a double agent?

A: That may be. I don't know.

Q: The next item of disbursement shows guard service of $572.52. What was that for?

A: I unders'and the guards were placed around the home of Jim Garrison during the probe.

Q. Don't your records show that the money was paid to Isaac and Vincent and New Orleans Private Patrol?

A. There was money paid to those guard services.

Q. The next item is $8,102.68 for investigative expenses.

A. That wou'd be a multitude of investigative expenses all during the period of the probe.

Q. Those funds were paid to members of the DA's staff?

A. Yes Sir.

Q. Which members of the staff made numerous trios?

A. That would include William Boxley, Jerry Sanders, Steve Jaffe, William Martin, Andrew Sciambra, James Alcock and a category called 'others.'

Q. Let's look at a trip advance expense sheet submitted by Andrew Sciambra to see if it is typical. It lists trips to Clinton and Jackson, La., 800 miles, $80, lodging, $60, meals, $15, emergency expense, $50 and other items amounts to $236.

A. Well it's not really typical because it is a sheet submitted in advance.

Q. What is an emergency expense?

A. I understood that was for anything not allowable under normal procedures.

Jones went on to explain that emergency expense could include something as minor as meals or something as large as a major expense.

Q. Don't your record show you paid Mr. Sciambra on the basis of this estimated expense account? Right?

A. Yes, I gave him a check.

Q. During the trial of the Shaw conspiracy case, were a substantial number of witnesses brought to New Orleans from Dallas and other areas and given board and lodging? Wasn't that paid from these funds?

A. No sir, that was from the fines and fees account.

Q. Well prior to the beginning of the trial many witnesses were brought to New Orleans from out of town. Weren't these expenses paid from those funds?

A. There were some witnesses whose expenses were paid, but I don't know exactly what those were for. Some witnesses expenses were paid from fines and fees, but I don't know what these were for.

Judge Christenberry then asked, "Do you have a voucher for Mr. Gurvich's trip to Las Vegas when be brought Mr. Garrison a brown sport shirt and six bullets?"

Jones replied that Gurvich's trip was accounted for in the vouchers.

Q. Do you administer the fines and fees account?

A. Yes sir.

Q. Can you tell me the amount paid from the beginning of the probe in 1967 to the end of the trial in 1969 that was paid from fines and fees?

A. From memory I'd say from $45,000 to $50,000.

Q. That's in addition to the $99,000?

A. No. That would be subtracted from the total. Perhaps $25,000 or $30,000 should be subtracted from the total.

In the last testimony before a 10-minute recess shortly after noon, Wegmann asked Jones about a check for $315 made out to Steven R. Plotkin.

"What did that cover?" Wegmann asked.

JONES REPLIED that the check covered the rental of David Ferrie's Louisiana Avenue Parkway apartment for July, August and September of 1967.

Jones read a letter from Plotkin to Garrison in which Plotkin told the DA be had spoken with City Councilman Eddie L. Sapir, Ferrie's landlord. Ferrie's rent was in arrears.

Q. When did the district attorney's office take possession of Ferrie's apartment?

A. I don't know.

Wegmann then told Jones that Garrison had advanced the fund more than $15,000 for investigation expenses. He asked if the DA had ever been repaid the money.

"Not to my knowledge," answered Jones.

ASKED WEGMANN: "Was there an obligation on the part of the city or the state to pay back this money?"

"I don't know," replied Jones.

Jones told Christenberry that one account was named J. G. Safi. The name, he said, stood for "Jim Garrison Special Account for Investigation."

Q. When was the J. G. Safi account established?

A. In March, 1967.

Q. Is it still open?

A. Yes it is.

Q. What is the amount now in it?

A. Four hundred and some dollars.

Q. What is the date of the last activity which occurred relating to the account?

A. August, 1969.

Wegmann then contended that since Shaw's acquittal on the conspiracy charge in 1969 the J. G. Safi account has been used only intermittently and for small amounts.

WEGMANN asked Jones if he ever secured a ruling from the Internal Revenue Service that the account was a tax-exempt fund.

"I don't know," Jones answered. "I merely set up an expense fund, not a corporation."

Under questioning by Alford, Jones stated that the fines and fees account in the DA's office includes only of-

ficial money from bond forfeitures and fines.

JONES ALSO said that about $25,000 of the $99,488 came from the fines and fees account.

He added that the city audits the fines and fees accounts annually.

Jones also said documentation of the Garrison investigation expenses have been turned over to Shaw's attorneys, except for actual receipts for hotels and airline tickets.

JONES SAID some money in the accounts was provided by campaign contributions for Jim Garrison's re-election in 1969.

Alford took up the cross examination of Jones.

Q. Mr. Jones, have we turned everything over to the defense except for motel bills and similar vouchers?

An argument followed as to whether everything had been turned over to Shaw's attorneys and Judge Christenberry said the question might not be important as it had been proven that it would have been easy to divert some of the privately given funds to a purpose other than what was intended.

Volz and Alford took exception, saying that no misuse of funds had been proven.

JUDGE Christenberry remarked, "I was merely stating what was possible."

Alford resumed the cross-examination of Jones.

Q. Why weren't these motel bills turned over?

A. There were many, many small bills. I photostated as many as I could, we have all the receipts.

Q. They are very voluminous?

A. Yes.

Q. Has Mr. Garrison given you any instructions regarding the records?

A. He has told me to give Mr. Shaw's attorneys everything they ask for.

Wegmann then asked one question.

Q. In your years with Mr. Garrison have you ever handled any account like the J. G. Safi account.

A. No sir.

Alford then fired back with one last question of his own.

Q. Have you ever been connected with any other office that investigated the death of a president?

A. No sir.

FD-350 (Rev. 7-16-63)

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JUDGE BLOCKS SHAW TRIAL PENDING RULING

Fifth Invoked by Russo; Hearing Ended

The hearing called by Clay Shaw to prevent a perjury trial ended in U.S. District Court Wednesday with Shaw taking the stand and former chief prosecution witness Perry Raymond Russo invoking the Fifth Amendment.

Federal District Judge Herbert W. Christenberry issued a preliminary injunction to prevent the district attorney's office from bringing Shaw to trial until he rules on the matter.

He also gave attorneys for both sides 30 days to file briefs and another 15 days to reply.

The three-day hearing took a surprising turn Wednesday afternoon when Russo, main witness in the trial of Shaw who was charged with conspiring to kill President John F. Kennedy, refused to testify.

ACQUITTED IN 1969

He told Judge Christenberry he wanted to avoid incriminating himself.

At Shaw's trial in 1969, Russo refuted earlier statements that he had seen Shaw with accused assassin Lee Harvey Oswald and David Ferrie at the latter's apartment.

Shaw was acquitted by a Criminal District Court jury.

Now, District Attorney Jim Garrison is trying to prosecute Shaw for saying he never knew either Oswald or Ferrie.

Shaw and his attorneys went to Federal Court to try to block this prosecution.

On Wednesday, Shaw from the witness stand again denied ever meeting Oswald or Ferrie and said he has spent "a very agonizing three and a half years."

He said he volunteered to testify at his conspiracy trial and is now being prosecuted for testifying he did not know Oswald or Ferrie.

NO ANSWER

"So I see no end to this thing, and I think my rights to express myself are severely restricted," Shaw commented.

He wondered aloud that if he denied knowing a "Joe Blow" at a perjury trial could he later be charged and indicted for denying knowing "Joe Blow."

Judge Christenberry asked Asst. D.A. John P. Volz what would prevent this and Volz had no answer.

During this period of questioning, though, Volz said the state wanted to test Shaw's credibility.

Judge Christenberry commented that in his opinion Shaw's credibility had been fully tested in the conspiracy trial, with the jury believing Shaw instead of the "characters" the district attorney's office brought to the witness chair.

Volz' reply was that the jury didn't rule on whether Shaw knew Ferrie or Oswald but only as to whether there was a conspiracy among the three to kill the President.

Newsmen Await Him, Is Complaint

Shaw, who asked for the hearing on the grounds that a perjury trial would violate his constitutional rights, said that every time he appears in state or federal court newsmen and photographers are waiting for him.

"They must have taken hundreds of thousands of pictures of you," Judge Christenberry agreed. "I wonder what they do with them all?"

Shaw said that during his 19 years with International Trade Mart, he made at least 1,000 lectures in many places on subjects related to international trade.

This has ceased since his legal troubles began, but he admitted to Volz that he has since lectured and been paid for it.

There were two areas Wednesday in which the testimony of Shaw and Garrison's chief investigator, Louis Ivon, varied.

Shaw testified that his attorney, Edward Wegmann, "vigorously protested" the use of handcuffs at the time of Shaw's arrest and asked they be removed.

However, Ivon, who testified about Shaw's questioning and arrest, said use of handcuffs "is proper police procedure" and knew of no request to remove them from Shaw.

Told He Must Take Lie Test, Shaw Says

Shaw testified also that Ivon or Sciambra told him he had to take a polygraph (lie detector test) "or I would be charged with conspiracy to kill the President of the United States."

Ivon testified that Shaw was asked to take a polygraph but he refused.

Shaw testified he refused but said he probably would have taken the test if his attorney, Salvadore Panzeca, present at the arrest, had advised this.

Edward Wegmann asked Ivon if he knew of the conditions which he said Panzeca wanted for such a test.

These were that Shaw was to see the questions first, that the questions would not be used in court and that Shaw would have 24 hours' rest before the test.

Ivon replied that he knew of no such conditions.

After Russo was called to the stand Asst. DA William Alford objected, saying defense attor-

(Indicate page, name of newspaper, city and state.)

PAGE 1

SECTION 1

THE TIMES-PICAYUNE

NEW ORLEANS, LA.

Date: 1-28-71

Edition:

Author: GEORGE W. HEALY JR.

Editor: ASSASSINATION OF PRESIDENT JOHN F. KENNEDY, TEXAS 11-22-63

Character:

or

Classification: 89-69

Submitting Office: N. O., LA.

☐ Being Investigated

SEARCHED ____ INDEXED ____
SERIALIZED ____ FILED ____
JAN 28 1971
FBI — NEW ORLEANS
1

CC-WFO 62-109060 ENCLOSURE

ney F. Irvin Dymond knew Russo would invoke the Fifth Amendment.

Alford called this "an improper tactic."

However, Judge Christenberry said the proceeding is not a criminal case, so the accusation has no legal weight.

Shaw's case was handled by Dymond and Attys. William and Edward Wegmann.

The assistant district attorneys at the hearing were Andrew Sciambra, Numa Bertel, Volz and Alford.

The first question Dymond asked of Russo was:

"Did you see Clay Shaw in David Ferrie's apartment in September of 1963?"

After Russo declined to testify, Dymond also asked, "Would your answers to any other questions regarding Clay Shaw be substantially the same?" Russo replied, "Yes, sir."

Judge Christenberry said he could grant Russo immunity from prosecution in Federal Court but doubted this would extend to Criminal District Court.

He asked Volz and Alford later why they didn't grant immunity to Russo to permit him to testify. They said there was no state statute permitting this.

Shaw's Testimony Brings Laughter

Despite Shaw's comments that his legal troubles have been "a disaster" and he has met with "abysmal failure" in trying to now get a job, there was amusing testimony.

Under an objection by the state, Shaw testified that he attended, at former Mayor Victor H. Schiro's invitation, a reception given by the Consular Corps on May, 1967, in the Plimsoll Club, International Trade Mart.

Shaw said he was leaving the event when a newsman took a picture of him shaking hands with Schiro.

"Mayor Schiro was so horrified at being seen on film with me that he ducked down behind his wife," Shaw commented, as a burst of laughter erupted in the court.

Shaw said he has not since been invited to such a reception. May, 1967, was two months after Shaw was arrested for conspiracy.

Earlier, Criminal District Court Judge Malcolm V. O'Hara, one of three judges who held a preliminary hearing before Shaw's conspiracy trial, testified.

When Judge O'Hara took the witness stand he was asked by Dymond if at any time prior to Jan. 18 Shaw's attorneys asked for a continuance of the perjury case.

He was then handed a copy of the minutes of his court and after examination of them he answered in the negative.

Illness of Garrison Delayed Proceeding

Judge O'Hara then acknowledged that he overruled a motion to quash the bill of information filed in the perjury case on Dec. 16, 1970.

The motion to quash was filed May 14, 1969, and the judge testified that the proceedings were delayed because of the illness of Garrison and his inability to appear in court.

"The delay was not brought about by the defendant?" Dymond asked.

"No," Judge O'Hara answered.

The witness added that at the time of his ruling he gave no written or oral reasons.

He also said that during his consideration of the motion to quash the perjury charge he did not read or study the transcript of the conspiracy case.

He was then asked if he read the testimony of Russo.

"I did not, I was under the impression that I was pretty familiar with his testimony because I was on the preliminary hearing and that I was pretty aware of what his testimony was," Judge O'Hara answered.

Dymond then asked the judge if he was aware at that time that Russo had changed testimony he gave at the preliminary hearing when he took the stand at the conspiracy trial.

Judge O'Hara replied that he was aware through other media that there were changes in Russo's testimony.

Entire Record Not Available

The witness was asked if the entire transcript of the conspiracy trial was made available to him on the motion to quash and he said that the entire record was not available.

"Did the defense attorneys ask that it be made available to you?" Dymond asked.

"Yes," Judge O'Hara replied.

"Did the state oppose the motion to have it made available to you?" was Dymond's next question.

"They did," the witness replied.

Dymond asked the judge if it was not a fact that he limited Garrison's testimony to the extent that all he did was identify his opening statement in the conspiracy trial.

Judge O'Hara said that he remembered cutting the district attorney off.

Under cross examination by Volz Judge O'Hara was asked if he presided at the three-judge preliminary hearing at which the court ruled that there was probable cause for the arrest and trial of Shaw.

Judge O'Hara answered that he was one of the judges and that the court found that there was probable cause for the arrest and that Shaw was "simply bound over for further proceedings by your office."

Testimony Limit Reasoning Given

He said that the court made no recommendations.

At this point Judge Christenberry asked "Did the three-judge court know that the district attorney's office had only one witness?"

"I did not know who they had," Judge O'Hara replied.

Volz then asked "Was there more than one witness at the hearing?"

Judge O'Hara answered that there were at least four or five.

The witness said that the reason he limited Garrison's testimony at the preliminary hearing was because he thought that it was "getting into an area thoroughly inadmissable."

Dymond asked if, as a matter of fact, there were only two factual witnesses at the hearing, and Judge O'Hara replied in the affirmative.

The judge said that the only two factual witnesses were Russo and Vernon Bundy.

Daniel J. Jones, 3431 Touro, bookkeeper in the district attorney's office, followed Judge O'Hara to the witness stand and was questioned by Edward Wegmann.

He testified that a total of $99,488.96 was received by Garrison for use in the Kennedy assassination probe.

The witness said that this amount did not cover the cost of the trial which was paid for from the office's fines and fees money.

'Smith Case' Used Initially in Probe

He also revealed that the "Smith case" was a term used to apply to the assassination

probe in the beginning but that it was never used in connection with Shaw.

At this point Judge Christenberry remarked that in his opinion it was "all one."

When Jones' attention was called to a donation from Gov. McKeithen he said that he recalled one check for $5,000 "from the governor's office."

There has been testimony during the case that McKeithen sent two $5,000 checks to the investigation fund.

Jones also testified about an advance to the fund in the amount of $15,875 by Garrison for which he has not been reimbursed.

The bookkeeper also testified that his records show a total of $8,500 in Garrison campaign funds were deposited in the J. G. Safi bank account.

That account was used for contributions to the investigation fund.

He also testified about certain expenses paid from the account to William Boxley, identified Tuesday by Garrison as a member of the Central Intelligence Agency who infiltrated the district attorney's office and described by Garrison as a "spy."

Guard Services Expenses Noted

Jones identified such expenses items as $572.52 for guard services. He explained that this was for private guards at Garrison's home during the investigation.

He pointed to $8,102 for certain investigative expenses paid to investigators on the DA's staff for their special services.

Jones said that the expenses of witnesses brought from Dallas and other places were paid out of the fines and fees money.

Wegmann asked Jones for a total paid from the fines and fees account from the beginning of the assassination investigation in 1967 to the end of the trial of Shaw in 1969.

He said that from memory it was from $45,000 to $50,000.

Wegmann asked if this was in addition to the $99,488.

The witness answered, "No, that would be subtracted from the total, perhaps $20,000 or $25,000 should be subtracted from the total."

The bookkeeper also testified that the DA's office made a disbursement of $315 to attorney Steven R. Plotkin for rent on Ferrie's Louisiana Ave. Pkwy. apartment for the months of July, August and September, 1967.

He said that he did not know when the DA's office took possession of the apartment after Ferrie's death.

Jones said that the J. G. Safi account is now inactive and the balance in the account is about $400.

Judge's Comment Draws Protest

The bookkeeper testified that all of the financial records of the investigation have been turned over to Shaw's attorneys with the exception of actual receipts of hotel bills and the like. He added that these are available to the attorneys.

Judge Christenberry commented at one point during Alford's cross examination of Jones that it would have been easy for an individual to make wrongful use of the contributions if they so desired.

Alford took issue with the judge's statement but Judge Christenberry replied that he was merely stating "what was possible."

In closing Wegmann asked Jones if in his 21 years with the district attorney's office he ever handled any account like the Safi account.

He replied in the negative but Alford then asked, "Have you ever been connected with any other office that investigated the death of a President?"

He replied, "No."



—Photo by The Associated Press.
PERRY RAYMOND RUSSO

(Mount Clipping in Space Below)

DA ELECTION PROBE FUNDS OVERLAP PEDWITNESS SAYS

(Indicate page, name of newspaper, city and state.)

PAGE 1

SECTION 1

THE STATES-ITEM

NEW ORLEANS, LA.

Date: 1-27-71
Edition: FINAL
Author:
Editor: WALTER G. COWAN
Title: ASSASSINATION OF PRESIDENT JOHN F. KENNEDY, TEXAS
Character: 11-22-63
or
Classification: 89-69
Submitting Office: N. O., LA.

☐ Being Investigated

SEARCHED ____ INDEXED ____
SERIALIZED ____ FILED ____
JAN 28 1971
FBI — NEW ORLEANS

6 1 1 1 - 699 ENCLOSURE

Perry Raymond Russo, star witness in the prosecution of Clay L. Shaw in the 1969 conspiracy trial, today invoked the Fifth Amendment in federal district court, refusing to say whether he saw Shaw in David Ferrie's apartment with Lee Harvey Oswald in 1963. Russo said to answer the question would be to expose himself to possible prosecution.

By ALLAN KATZ
and GENE BOURG

See Testimony Text, Page 20

District Attorney Jim Garrison spent a tangled mixture of state, court and private money on his Kennedy assassination probe, testimony revealed today, with some overlapping into the DA's own election campaign funds.

This information was elicited from the bookkeeper in the DA's office, Daniel Jones, who held the spotlight in the third day of a federal court hearing in which Clay L. Shaw seeks to have perjury charges against him thrown out.

There were these major revelations:

—JONES TESTIFIED that the records of J. G. Safi fund, a vehicle for handling some of the Kennedy probe money, included "a number of disbursements to and from the Jim Garrison campaign fund."

—Gov. John J. McKeithen said in Baton Rouge he gave Garrison $10,000 in state funds for the Kennedy probe.

—Jones confirmed the total amount spent on the Kennedy probe, not counting the Shaw trial itself, was $99,448.

—This figure, Jones testified, included some $25,000 from the court's fines and fees fund, money normally available to the district attorney's office. This was in addition to the money from the governor's office and the contributions from Truth and Consequences, a private group set up to finance the investigation.

—SOME OF THE MONEY was spent to hire guards to protect Garrison's home during the investigation, Jones said.

—Investigative expenses included "numerous" trips by star DA's staff members, including James L. Alcock, Andrew "Mumu" Sciambra and a mysterious category styled "others."

—The DA's office paid at least $315 in rent on an apartment occupied by David W. Ferrie, a shadowy figure Garrison says was part of the assassination plot. The money was paid in the summer of 1967, several months after Ferrie's death Feb. 22, 1967. Ferrie's landlord, Jones testified, was City Councilman Eddie L. Sapir. The money was paid to Steven R. Plotkin, Sapir's law partner, he said.

JONES' TESTIMONY was the highlight of today's session of the hearing before Federal District Judge Herbert W. Christenberry.

Shaw was charged with perjury by Garrison, who claims he lied in his 1969 trial on charges of conspiring to kill President John F. Kennedy. Shaw was acquitted on that charge but Garrison claims he testified falsely that he never knew Ferrie or accused presidential assassin Lee Harvey Oswald.

Shaw went into federal court to get the perjury charge thrown out on grounds that Garrison is violating his civil rights. In the meantime, Garrison is enjoined from prosecuting him in state court.

THE MATTER OF the $10,000 contribution from Gov. McKeithen came to light yesterday and Monday in earlier testimony before Judge Christenberry and was confirmed again today by Jones.

In Baton Rouge, the governor's chief aide, W. W. McDougall, said the money was paid out of the governor's law enforcement fund at the special request of Garrison for financial aid.

McDougall said one check for $5,000 was given to Garrison March 22, 1967, one day after Garrison made the request in a written appeal for assistance. The second check also was for $5,000 and was issued Jan. 30, 1968, he added.

McDougall said such assistance was not unusual and has been made available to other law enforcement agencies and DAs both before and since the Garrison incident.

THE FUND IS A special $40,000 appropriation by the legislature which the governor uses for special situations.

At the hearing in New Orleans today the judge scheduled to preside over Shaw's perjury trial testified that he refused to throw out the charge without having closely examined the record of the conspiracy trial.

Criminal District Judge Malcolm V. O'Hara was the first witness today.

ON DEC. 14, 1969, Judge O'Hara turned down a plea to throw out the perjury charge. He was questioned closely about this action today by Shaw attorney F. Irvin Dymond.

Judge O'Hara said the long delay between the filing of the motion to quash the perjury charge (May 14, 1969) and his acting on it was due to Garrison's illness. The DA suffers from a back ailment and was unable to appear in court.

Dymond asked the judge if he read the transcript of the conspiracy trial. Judge O'Hara said he did not.

HE SAID FURTHER he did not read the testimony of the state's star witness, Perry Raymond Russo. He said he felt this was unnecessary because he was a member of a three-judge panel before which Russo testified in a preliminary hearing prior to the trial.

Asked if he were aware of changes in Russo's testimony between the 1967 hearing and the 1969 trial, he said he knew of them "through other media" but had no detailed knowledge of them.

Judge O'Hara said he read the opening and closing arguments by Garrison but not the rebuttal argument by chief prosecutor Alcock, now a fellow Criminal District Court judge.

THE JUDGE SAID he felt it was unnecessary to read the entire transcript of the conspiracy trial before ruling in the perjury case.

The second witness, Jones, identified himself as bookkeeper in Garrison's office.

RUSSO, ON WHOSE testimony most of the conspiracy case rested, was still waiting to testify in the current hearing.

FD-36 (Rev. 5-22-64)

FBI

Date: 2/1/71

Transmit the following in _____ (Type in plaintext or code)

Via AIRTEL _____ (Priority)

TO: DIRECTOR, FBI (62-109060)

FROM: SAC, DALLAS (89-43)(P*)

SUBJECT: ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY,
DALLAS, TEXAS
11/22/63
MISCELLANEOUS - INFORMATION CONCERNING

Re Bureau airtel to Dallas and Newark dated 1/26/71 relating to an action filed by one EMORY L. BROWN, JR. of West Longbranch, New Jersey, and Bureau telephone call from Supervisor HENRY A. SCHUTZ, JR. to Dallas 1/29/71 and Dallas telephone call to Supervisor SCHUTZ 2/1/71.

The following information will confirm that telephonically furnished to Supervisor SCHUTZ on 2/1/71 by SA ROBERT P. GEMBERLING of the Dallas office.

The Dallas indices contain no information concerning EMORY L. BROWN, JR. except that relating to his recently filed action.

There is set forth below the location of certain information relating to items set forth in BROWN's complaint:

RE: Texas License # PE 3435, and License Numbers RB 8950, NX 3171, and NA 4445

Information concerning these license numbers is reflected on pages 332-344 of the report

(2) - Bureau
1 - Dallas
RPG:jls
(3)

REC 8
ST 104

62-109060-6991

11 FEB 3 1971

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

70 FEB 10 1971

U. S. GOVERNMENT PRINTING OFFICE : 1969 O - 348-000 (BU)

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27

UNITED STATES GOVERNMENT

Memorandum

Tolson
Sullivan
Mohr
Bishop
Brennan, C.D.
Callahan
Casper
Conrad
Felt
Gale
Rosen
Tavel
Walters
Soyars
Tele. Room
Holmes
Gandy
Dalbey

TO : Mr. Sullivan

FROM : A. Rosen

DATE: February 3, 1971

1 - Mr. Sullivan
1 - Mr. Rosen
1 - Mr. Malley
1 - Mr. Shroder
1 - Mr. Rowse
1 - Mr. Casper

SUBJECT: ASSASSINATION OF PRESIDENT
JOHN F. KENNEDY
DALLAS, TEXAS
11/22/63

Since the Summer of 1970, we have engaged in correspondence with the Department relative to a request by Emory L. Brown, Jr., of Farmingdale, New Jersey, who wants access to FBI records under the Freedom of Information Act regarding the assassination of President Kennedy. Brown has now filed suit in U. S. District Court for the District of New Jersey to obtain miscellaneous information concerning our investigation of the assassination in regard to suspects, automobiles, and license numbers, etc., which would require extensive review of sheriff's office and police department records, as well as our own records in Washington, and Dallas, Texas. There is no derogatory information in Bureau files or files of the Newark Division concerning Brown.

As a result of the above suit, the Department has requested certified copies of all requests from Brown to the FBI to make records involved available for their inspection, and correspondence to Brown concerning his request for records. We have received three letters from Brown dated 2/5/68, 8/25/69, and 4/11/70, and the first two letters from Brown enclosed some of his correspondence and replies * the Chief of Police, Dallas, Texas, Travelers Aid Society, New York, and Assistant Director in charge of our New York Office. Brown was advised of the confidential nature of our files.

F.C.I.S. 62-109060-6992

Department has also requested to be advised if we have identified the records requested by Brown, and if so, furnish a description and/or summary of the records (no review has been made by the FBI to locate information requested by Brown). Department also requested a statement of reason or reasons by the FBI why in our opinion records involved should not be made available, and if appropriate a statement of facts demonstrating the manner in which production of the records

Enclosure 2-4-71 10 FEB 9 1971

*from

HGR:bjp
(7)

56FEB 11 1971 FEB 9 1971

requested would prejudice the operations of the FBI. This information was previously furnished the Department by a letter dated 10/12/70, and we continue to maintain our position that Brown's request be denied since it would in effect, require the Government to conduct extensive research for a private person and our files concerning the assassination of President Kennedy are still open and therefore appear to be exempt from disclosure under the Freedom of Information Act.

ACTION:

Attached is a letter to the Criminal Division of the Department which encloses one certified and three copies of each communication, with enclosures, from Brown and our reply to Brown.

The Department is also being referred to our letter dated 10/12/70 which clearly sets forth our position.

FD-36 (Rev. 5-22-64)

FBI

Date: 2/2/71

Transmit the following in _____ (Type in plaintext or code)

Via AIRTEL _____ (Priority)

TO: DIRECTOR, FBI

FROM: SAC, NEWARK (62-3060) (P)

SUBJECT: ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY,
DALLAS, TEXAS
11/22/63
(OO: DALLAS)

Re: Bureau airtel to Newark and Dallas, 1/26/71.
Bureau telephone call to Newark, 1/29/71.

In response to referenced telephone call, the following persons were discreetly contacted for background information on EMORY L. BROWN, JR., Box 82 Route 4, Squankum Road, Farmingdale, New Jersey, but no record was located:

[redacted] Credit Bureau of Monmouth and Ocean Counties, Asbury Park, New Jersey.

[redacted] and [redacted] Howell Township, New Jersey, Barracks of the NJ State Police.

[redacted] advised that due to the sparse population in the area, he felt if EMORY L. BROWN, JR. were a questionable character, he would be familiar with him.

It is noted that Farmingdale, NJ, has no police department and law enforcement in that area is handled by the NJ State Police.

REC 11 62-109060 - 6993

Newark indices are negative for EMORY L. BROWN, JR.

EX-103

15 FEB 5 1971

2 - Bureau
2 - Dallas
2 - Newark
RCL/md
(6)

55 FEB 18 1971

Approved: _____ Sent _____ M Per _____

Special Agent in Charge

U. S. GOVERNMENT PRINTING OFFICE

In the interest of remaining discreet concerning further inquiries on EMORY L. BROWN, JR., and in order to not make open inquiries, no further background investigation is being conducted, UACB.

FBI
NDA

OPTIONAL FORM NO. 10 MAY 1962 EDITION GSA GEN. REG. NO. 27 5010-106

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Sullivan

FROM : A. Rosen

SUBJECT: ASSASINATION OF PRESIDENT JOHN FITZGERALD KENNEDY, DALLAS, TEXAS, 11/22/63

DATE: February 2, 1971

1 - Mr. Sullivan
1 - Mr. Rosen
1 - Mr. Malley
1 - Mr. Shroder
1 - Mr. Schutz
1 - Mr. Mohr
1 - Mr. C. D. Brennan
1 - Mr. Bishop

Tolson
Sullivan
Mohr
Bishop
Brennan, C.D.
Callahan
Casper
Conrad
Felt
Gale
Rosen
Tavel
Walters
Soyars
Tele. Room
Holmes
Gandy

Information has been received from our Los Angeles Office to the effect that Edgar Eugene Bradley has advised Harold Weisberg a well known critic of the Warren Commission, FBI, Secret Service, police agencies, and other branches of Government is writing a book in which he will allegedly place the blame for the assasination of John F. Kennedy on the FBI.

Bradley according to Bureau files is the West Coast representative for evangelist Dr. Carl McIntire and is active in the ultra right movement. In 1963 in a letter to the Director, he advised he was active in a group that desired to draft the Director as a Presidential candidate. Bradley was one of those accused by District Attorney James Garrison in New Orleans as being involved in the assasination of Kennedy. Our investigation developed absolutely no evidence that he was involved, nor did his name come up during the investigation.

Bradley alleges that through a source he has learned Weisberg received information placing blame on the FBI from a high official in the United States Secret Service. The identity of the official was not known.

We are well acquainted with Weisberg in view of his previously written criticisms in connection with the handling of the Kennedy assasination by the Warren Commission, FBI, Secret Service, etc. His writings in the past have contained discrepancies, falsehoods, and deliberate slanting of the facts. During the past several months he has made numerous requests of the Department under the Freedom of Information Act for data relating to the assasination apparently in connection with compiling information for his new book. It can only be anticipated that this new book will continue

ST 104
REC 8 62-109060-6994
18 FEB 9 1971

HAS:bkc

55 FEB 18 1971

XEROX FEB 10 1971

CONTINUED - OVER

UNRECORDED COPY FILED IN

to reflect his animosities.

Our files show Weisberg has associated himself with Communist Party members, and was one of the ten State Department employees who during 1947 was allowed to resign without prejudice for having Communist sympathies.

ACTION: For information purposes.

FD-36 (Rev. 5-22-64)

FBI

Date: 2/10/71

Transmit the following in _____
(Type in plaintext or code)

Via AIRTEL AIRMAIL
(Priority)

TO: Director, FBI (62-109060)

FROM: SAC, New Orleans (89-69) (P)

ASSASSINATION OF PRESIDENT JOHN FITZGERALD KENNEDY, DALLAS, TEXAS, NOVEMBER 22, 1963
MISC. - INFORMATION CONCERNING
OO: Dallas

Enclosed for the Bureau are four articles appearing in New Orleans newspapers concerning above-captioned matter.

One copy each of these articles is enclosed for Dallas and Miami.

ENCLOSURE

REC-11
62-109060-6995
FEB 13 1971

2 - Bureau (Enc. 4)
1 - Dallas (89-43)(Enc. 4)
1 - Miami (Enc. 4)
1 - New Orleans
ECW:bs
(5)

70 FEB 23 1971

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

56 FEB 22 1971

FD-350 (Rev. 7-16-63)

(Mount Clipping in Space Below)

Judge Continues Shaw Trial Ban

Clay L. Shaw, who "sees no end" to District Attorney Jim Garrison's attempts to prosecute him in connection with the John F. Kennedy assassination, today began a 45-day wait armed with a federal judge's announced belief that Shaw's credibility has been fully tested.

Shaw, acquitted in 1969 of conspiracy to kill Kennedy but charged with perjury as a result of his testimony in that trial, won at least a temporary victory yesterday when U.S. District Judge Herbert W. Christenberry continued a ban on the perjury trial for 45 days.

The ruling came after a three-day hearing in which Shaw attempted to show Garrison is "persecuting" him. Judge Christenberry granted both sides 30 days to file briefs in the case and another 15 days to reply.

GARRISON CHARGED Shaw lied in the conspiracy trial when he said he did not know accused presidential assassin Lee Harvey Oswald or David Ferrie. Garrison had charged Shaw conspired with Oswald and Ferrie to kill Kennedy.

Judge Christenberry said in his ruling yesterday that in his opinion Shaw's credibility had been fully tested in the conspiracy trial with the jury believing Shaw instead of the "characters" the district attorney's office brought to the witness chair.

Shaw's lawyers have contended from the start of the perjury action that this was the case.

ASSISTANT DISTRICT Attorney John Volz contends the jury ruled only that there was no conspiracy and not on whether Shaw knew Oswald and Ferrie.

The three-day hearing provided both revelations and surprises in abundance. Among the highlights:

—Perry Raymond Russo, who was Garrison's star witness against Shaw in the conspiracy trial, yesterday took the Fifth Amendment when he was asked to repeat his prior story that he saw Shaw in Ferrie's apartment in 1963 at a party attended by Oswald. Russo said he was taking the Fifth Amendment because to do otherwise would be self-incriminating.

—GARRISON SPENT a tangled mixture of state, parish and private money, totaling some $99,000, on his Kennedy assassination probe. Included in the expenditures were some of Garrison's own campaign funds.

—Also included was $10,000 in state funds disbursed by Gov. John J. McKeithen from a special gubernatorial fund.

—Shaw said he has spent an "agonizing three and a half years" since he was first arrested. He said he fears that, if he testifies in his own behalf in a perjury trial sought by Garrison, he will be indicted on perjury charges again even if he is acquitted. "The cycle could go on ad infinitum," Shaw said from the witness stand.

—GARRISON PAID $315 rent on an apartment occupied by Ferrie until his death. The money was paid in the summer of 1967, several months after Ferrie's death in February, 1967.

—Three prominent New Orleans businessmen—Willard E. Robertson, Joseph M. Rault Jr. and Cecil M. Shilstone—testifying on the first and second days of the hearing, said they organized the collection of private funds to aid Garrison. They said they disbursed money to the DA's office without knowing how it would be used and never sought an accounting. Robertson signed promissory notes totaling $30,000 to help finance the investigation.

Shaw was acquitted in less than an hour by a 12-man jury on March 1, 1967, after he had denied having known either Ferrie or Oswald. He was

(Indicate page, name of newspaper, city and state.)

PAGE 6

SECTION 1

THE STATES-ITEM

NEW ORLEANS, LA.

Date: 1-28-71
Edition: FLASH
Author:
Editor: WALTER G. COVAN
Title: ASSASSINATION OF PRESIDENT JOHN F. KENNEDY, TEXAS
Character: 11-22-63
or
Classification: 89-69
Submitting Office: N.O., LA.

☐ Being Investigated

SEARCHED ____ INDEXED ____
SERIALIZED ____ FILED ____
JAN 29 1971
FBI — NEW ORLEANS

89-69

charged March 3, 1967, with having lied when he denied knowing the two.

SHAW TOLD THE court yesterday that "I see no end to this thing so I think my rights to express myself are severely restricted."

Representing the DA's office were first assistant DA's Volz, William Alford and Andrew Sciambra. They held throughout the hearing that the conspiracy trial jury could have found Shaw innocent of conspiracy while believing that Shaw knew Oswald and Ferrie. They held that a second trial is needed to fully test Shaw's credibility.

Garrison took the stand on the second day of the hearing, maintaining it is his duty to proceed with the perjury charges. The DA said he would rather see Shaw acquitted than have him convicted in a trial tainted by an impropriety.

THE ATTORNEYS for Shaw — F. Irvin Dymond, William Wegmann and Edward Wegmann — called Russo to the witness stand late yesterday afternoon.

Dymond asked Russo only one question, "Perry, did you see Clay Shaw in David Ferrie's apartment in 1963?"

Russo replied that he would stand on the Fifth Amendment. He told Dymond he would answer any questions by standing on the Fifth Amendment.

LATER, INTERVIEWED by reporters, Russo said that he had been pressured not to testify in the hearing but would not say by whom or whether he thought the pressures brought to bear represented illegal force.

Asked if he wished he had never gotten involved in the Shaw case, Russo replied, "Yes, I wish I had never gotten involved."

It isn't known how long after briefs and rebuttals have been introduced by the opposing sides that Judge Christenberry will hand down his decision.

DESPITE THE seriousness of the hearing, it did have its wry moments.

Shaw, who said the last three years have been a financial disaster for him and forced him from retirement to an unsuccessful job hunt, told of a 1967 consular corps affair he attended after his arrest and subsequent release on his own recognizance.

He said he was leaving the event when a newsman took a picture of him shaking hands with then-Mayor Victor H. Schiro.

"MAYOR SCHIRO was so horrified at being seen on film with me that he ducked down behind his wife," Shaw said.

Shaw asked from the witness stand if he denied knowing a "Joe Blow" at a perjury trial, could he later be charged and indicted for denying knowing "Joe Blow"?

Judge Christenberry asked Volz what would prevent this. Volz had no answer.

THE JUDGE questioned Russo's refusal to answer questions put to him.

"I don't understand," Judge Christenberry said when Russo invoked the Fifth Amendment. "You testified in state court several times, yet you feel if you answered now you would be incriminating yourself?"

"Yes sir."

Alford lodged a formal objection against Russo being called as a witness.

ALFORD TOLD THE judge that during a recess conference Shaw's attorneys had admitted they knew beforehand that Russo would refuse to answer.

"That's improper conduct, your honor," Alford said.

"It would be if this was a criminal case," Judge Christenberry replied. "But this is not a criminal case. If you want Mr. Russo to testify, grant him immunity."

"We can't grant him immunity," Alford said. "We don't have such a statute."

Judge Christenberry overruled the objection.

THE INTERNAL Revenue Service was an interested spectator at the hearing.

IRS investigator Jim McCormick took notes throughout the hearing.

"Let's just say we're interested in it," McCormick said when asked if the IRS was checking into the DA's financing of the investigation.

FD-350 (Rev. 7-16-63)

(Mount Clipping in Space Below)

Cash to Garrison

Made 'No Secret' Of Grant--Governor

Gov. John J. McKeithen says he made no secret of his $10,000 grant to Dist. Atty. Jim Garrison for his John F. Kennedy assassination plot investigation and doesn't plan to ask the DA for an accounting.

The governor said here yesterday he contributed the money from his emergency fund because "at that time we thought he (Garrison) might have something."

The contribution was revealed publicly here last week at a court hearing involving Clay L. Shaw, acquitted of a Garrison charge that he conspired to kill President Kennedy but now fighting a perjury charge brought by Garrison in connection with Shaw's testimony in the conspiracy trial.

McKeithen said no effort was made to keep the contribution secret although the news media may not have known about it.

The governor said he gave the funds directly to Garrison and not to Truth and Consequences, a group created to fund the Kennedy assassination investigation.

McKeithen said he gave the money to Garrison because he though it was important "to carry out the investigation."

McKeithen, long rumored as an opponent for Sen. Allen Ellender in 1973, said he has not made up his mind on that race or on other plans when he leaves the governor's office next year.

THE GOVERNOR lashed out at Aaron M. Kohn of the Metropolitan Crime Commission of New Orleans and Ed Steimel of the Public Affairs Research Council, accusing both men of "negativism" toward Louisiana.

He said tourism is at an all-time low in Louisiana because "men like Kohn and Steimel tell businessmen that if they come to Louisiana the Mafia will get them."

He said Kohn "hasn't turned up a Mafia man yet."

McKeithen said he will not call a special session of the legislature and accused legislators of being interested in the $50 a day they would draw while in Baton Rouge for such a session.

THERE HAS been talk of a special session for legislative reapportionment.

The governor's attack on legislators drew prompt criticism from state Sen. Jules Mollere of Metairie.

"Has he lost his mind or something?" Mollere asked angrily in reply to the governor's statements.

"I feel he owes a very strong apology to the entire legislature for stating, in effect, that all of the members of the legislature are deadheads who merely want a special session so they could be paid for the time they spend in such a session," Mollere fumed.

Mollere disagreed with McKeithen's view that reapportionment could be handled during the fiscal session of the legislature in May. McKeithen said this could be accomplished by a two-thirds vote. Mollere contends it would require a three-fourths vote.

McKeithen was in New Orleans for the second anniversary performance of the Desire Community Chorus at the George Washington Carver High School.

(Indicate page, name of newspaper, city and state.)

PAGE 8

SECTION 1 .

THE STATES-ITEM

NEW ORLEANS, LA.

Date: 2-1-71
Edition: FINAL
Author:
Editor: WALTER G. COWAN
Title:
ASSASSINATION OF PRESIDENT JOHN F. KENNEDY, TEXAS
or 11-22-63
Classification: 89-69
Submitting Office: N.O., LA.

☐ Being Investigated

SEARCHED ____ INDEXED ____
SERIALIZED ____ FILED ____
FEB 1 1971
FBI — NEW ORLEANS

62-109060-699

FD-350 (Rev. 7-16-63)

(Mount Clipping in Space Below)

GOVERNOR WON'T QUERY GARRISON

Says $10,000 Was Given for Investigation

By BETSY HALSTEAD

Gov. John J. McKeithen said here Sunday he has no intention of asking Jim Garrison for an accounting of $10,000 he gave to the district attorney's Kennedy assassination probe.

The governor said when he gave the money to Garrison he didn't ask for an accounting of the funds, only that they be used in the district attorney's investigation.

"At the time I presented him with the money there was no criticism of his investigation," he said. "At that time we thought he might have something."

McKeithen made his comments prior to attending the second anniversary performance of the Desire Community Chorus at the George Washington Carver High School Auditorium on the outskirts of the Desire Project.

'MOTHER OF YEAR'

The governor had been invited to attend the performance by Mrs. Margaret Williams, "Mother of the Year" of the chorus.

The governor said he gave the funds to the district attorney's office and not to Truth and Consequences, the organization created to fund Garrison's investigation.

He said he wouldn't have had the authority to give the funds to a private organization.

He said Garrison had in fact written to him and said he needed additional funds for his investigation.

"I didn't try to make a secret of it," the governor said. "There were lots of people who knew about it."

When asked who besides himself knew about the $10,000 contribution, the governor said the district attorney and members of his staff.

He said no effort was made to keep the contribution secret, although the press may not have known about it.

Last week, Attorney William J. Wegmann, representing Clay L. Shaw at a hearing in federal court, revealed the $10,000 contribution by McKeithen.

McKeithen said Sunday he gave the money to Garrison because he thought it was important "to carry out the investigation."

He said there were obviously other people who felt the same way since "I understand he was re-elected recently with a strong vote."

Speaking about his plans after he leaves the Governor's Mansion in 1972 McKeithen said he may oppose U.S. Sen. Allen J. Ellender.

Asked what he thought his chances would be against Ellender, recently elected president pro tem of the Senate, McKeithen answered, "Let's see what he'll do for Louisiana."

He said he still has a year and a half to make a decision about running.

STRUCK OUT

McKeithen struck out at Aaron M. Kohn of the Metropolitan Crime Commission of New Orleans, Inc., and Ed Steimel of the Public Affairs Research Council accusing both men of "negativism" toward Louisiana.

"When they make negative statements about the state then see what happens to the tourist business in the state," he said. "Kohn hasn't turned up a Mafia man yet."

The governor said tourism is at an all-time low in Louisiana because men like Kohn and Steimel tell businessmen that if they come to Louisiana the Mafia will get them.

Prior to the start of the Choir's performance Mrs. Williams explained why she invited the governor.

"People have seen the other side of the Desire community, she said. "We want them to see the good side.

"These children started the choir to prove to the public that all people are created equal, but all have different thoughts, ways and actions," she said.

(Indicate page, name of newspaper, city and state.)

PAGE 1

SECTION 1

THE TIMES-PICAYUNE

NEW ORLEANS, LA.

Date: 2-1-71
Edition:
Author:
Editor: GEORGE W. HEALY JR.
Title: ASSASSINATION OF PRESIDENT JOHN F. KENNEDY, TEXAS
Character: 11-22-63
or
Classification:
Submitting Office: 89-69
☐ Being Investigated N. O., La.

SEARCHED ____ INDEXED ____
SERIALIZED ____ FILED ____
FEB 1 - 1971
FBI — NEW ORLEANS

7-1-1971 - 6995

FD-350 (Rev. 7-16-63)

(Mount Clipping in Space Below)

Quality of justice

The Clay Shaw case raises serious questions about the quality of justice in Louisiana. There has been an unhealthy mixing of justice and politics, and an absence of integrity.

There seems to be a connection between this and the ability of District Attorney Jim Garrison, with little more than the word of Perry Raymond Russo, to introduce his conspiracy fantasy into a court of law.

Mr. Russo now refuses to repeat his original charges against Mr. Shaw in a court of law.

In retrospect, it is incredible that the Clay Shaw case ever went to trial.

This warped sense of justice is reflected in the action of a group of New Orleans businessmen, operating under the name of Truth and Consequences, who put up a substantial sum of money, supposedly for an investigation into the assassination of President John F. Kennedy. Significantly, much of the money was contributed after the arrest of Clay Shaw.

Their action raises serious questions. Was the money contributed used to investigate the assassination of President Kennedy, or to persecute Clay L. Shaw? Furthermore, should private citizens, who may have an ax to grind, be able to use the district attorney's office in this manner?

Equally inexcusable is the use of state funds in the Clay Shaw witchhunt. There is nothing wrong with Gov. John McKeithen having a law enforcement fund, provided it is used solely for this purpose.

But the $10,000 handed over by the governor to Mr. Garrison was used in mysterious ways. The public funds apparently were mixed not only with money collected by Truth and Consequences, but with Mr. Garrison's personal campaign funds.

The truth is that we really don't know how the money supplied by Gov. McKeithen—taxpayers' money—was used.

One thing is clear. The handling of the Clay Shaw matter—from the first wild hours of his arrest until now—has shocked the nation and the world.

Even though he was acquitted, the biggest loser in the conspiracy investigation and trial was Clay Shaw. He was arrested and presented, manacled, to the world on March 1, 1967. With a perjury trial still pending, Mr. Shaw has yet to escape the burden he has carried for four years.

Mr. Shaw was the foremost victim, but all of us should feel uneasy. We are all vulnerable to a system of justice, where justice is not always done.

(Indicate page, name of newspaper, city and state.)

PAGE 6

SECTION 1

THE STATES-ITEM

NEW ORLEANS, LA.

Date: 2-5-71
Edition: FINAL
Author: WALTER G. COWAN
Editor:
Title: ASSASSINATION OF PRESIDENT JOHN F. KENNEDY, TEXAS 11-22-63
Character:
or
Classification: 89-69
Submitting Office: N.O., LA.

☐ Being Investigated

SEARCHED ..... INDEXED
SERIALIZED ..... FILED
FEB 8 - 1971
FBI - NEW ORLEANS

62-109060-69

ENCLOSURE

Stuart B. Suchoff
14 Jay Street
Newburgh, New York 12550

Dear Mr. Hoover,

A matter of extreme urgency and even national secutity has come to my attention through the magazine "Comruters and Automation", in the May 1970 issue, pages 29-60 by Richard Sprague. (I urge you to have it summarized by your office staff immediately!)

The aforementioned article concerns the assination of the late JFK. After reading this article, it appears to me that there has been too much foul play. The censoring of valuable documents by the Johnson administration and even the FBI is absurd!! At a very minimum, the classified information should be made public. I also feel that a new commision should be made to do the job the Warren Commission should have done. As it appears now, many high placed public officials have literally been bought.

Knowing your upright nature, I am convinced that you will act and correct this mistake.

Please, if you can, let me knox by mail that some course of action is being taken.

Many thanks for your time.

Stuart Suchoff

REC-66 62-109060-6996

ST. 109

19 FEB 22 1971

CORRESPONDENCE

ack/nml

Mr. Nelson
Mr. Sullivan
Mr. Bishop
Mr. Brennan CD
Mr. Callahan
Mr. Casper
Mr. Conrad
Mr. Dalbey
Mr. Felt
Mr. Gale
Mr. Rosen
Mr. Tavel
Mr. Walters
Mr. Sovars
Tele. Room
Miss Holmes
Miss Gandy

EX-109

FEB 22 1971

38

ST 109

REC- 66

62-109060-6996

February 26, 1971

Mr. Stuart B. Suchoff
14 Jay Street
Newburgh, New York 12550

Dear Mr. Suchoff:

On February 22nd I received your letter and the interest which prompted you to furnish your views is appreciated.

With respect to your comments, the FBI, at the direction of President Johnson, conducted a prompt, intensive, objective and thorough investigation of the assassination of President Kennedy. The results of that investigation were accurately reported to the Warren Commission which subsequently made the results of our inquiries available to the National Archives. The FBI has no authority to independently release any information contained in those reports.

Sincerely yours,

J. Edgar Hoover

NOTE: Our files contain no record of Mr. Suchoff. It is very likely that the Richard Sprague referred to is the individual who is well known to us as a John F. Kennedy assassination buff. Our files disclose that "The Computers and Automation" is a trade magazine dealing with design and application of information processing systems in Newtonville, Massachusetts.

FMG:amw (3)

Tolson
Sullivan
Tele
Bishop
Ingram, C.D.
Callahan
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36 (Rev. 5-22-64)

FBI

Date: 3/11/71

Transmit the following in _____
(Type in plaintext or code)

Via AIRTEL _____
(Priority)

TO: DIRECTOR, FBI (62-109060)

FROM: SAC, NEWARK (62-3060) (P)

SUBJECT: ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY
DALLAS, TEXAS
11/22/63
(00: Dallas)

Re Newark airtels to Bureau dated 1/27 and 2/2/71.

On 3/11/71, AUSA ROGER S. STEFFENS, Trenton, NJ, advised that the time for the government to answer in Federal Court the action against the Attorney General and the Director had been extended to 4/15/71. He stated that he would advise at that time the future actions to be taken.

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FEDERAL BUREAU OF INVESTIGATION

ST-103

REC-20 62-109060-6997

(2-Bureau
1-Dallas (89-43)
2-Newark
RCL/jmg
(5)

16 MAR 18 1971

Williamson Rm 5730

Approved: _____ Sent _____ M

Special Agent in Charge

57 MAR 19 1971

Form DJ-130
(Ed. 4-26-65)

UNITED STATES GOVERNMENT

DEPARTMENT OF JUSTICE

Memorandum

TO : Mr. J. Edgar Hoover
Director, Federal Bureau of Investigation

DATE: MAR 10 1971

LPG,III:JFAxelrad:bd
145-12-1512

FROM : L. Patrick Gray, III
Assistant Attorney General
Civil Division

SUBJECT: Emory L. Brown, Jr. v. Mitchell, et al.
USDC D N.J., Civil Action No. 44-70

Mr. Tolson
Mr. Sullivan
Mr. Mohr
Mr. Bishop
Mr. Brennan CD
Mr. Callahan
Mr. Casper
Mr. Conrad
Mr. DeLoach
Mr. Felt
Mr. Gale
Mr. Rosen
Mr. Sullivan
Mr. Tavel
Mr. Walters
Mr. Soyars
Tele. Room
Miss Holmes
Miss Gandy

In order to defend this pending action, we will need an affidavit from a knowledgeable person in your office setting forth the facts which support and explain the refusal of the Department to give plaintiff access to the records being sought. It will be appreciated if you can have a rough draft of the proposed affidavit in our hands not later than March 19, 1971. The attached draft prepared by Mr. Saloschin is only for your assistance. The facts which the affidavit sets forth must be within the personal knowledge of the affiant. If you have any questions concerning Mr. Saloschin's suggestions, please contact him (187-2674).

Your cooperation is appreciated.

cc: Mr. Robert L. Saloschin
Chairman, Freedom of Information
Committee
Office of Legal Counsel
Room 5212

COPIES DESTROYED
21 JAN 17 1973

EXP. PROC.
MAR 10 1971

Ltr to AAG Civil Division
JLW:tak 3/18/71.

REC-26 2-109060-6998

ENCLOSURE

MAR 24 1971

LEGAL COUNSEL

MAR 2

DOCUMENT CONTAINED
2 PAGES ATTACHED

DOCUMENTED COPY FILED IN

Assistant Attorney General
Civil Division

March 18, 1971

Director, FBI

REC-2 62-109060-6998

EMORY L. BROWN, JR. v. MITCHELL, ET AL.

Reference is made to your letter of March 10, 1971, relative to captioned matter, in which you request that a rough draft of a proposed affidavit containing the facts which support and explain the refusal to grant plaintiff access to information contained in our files be submitted to you.

Enclosed is a proposed affidavit for your consideration. You will note that we attempted to incorporate in the affidavit much of the information contained in the draft affidavit submitted to us with referenced letter. However, we are of the opinion that some of the matter contained in the Saloschin draft affidavit goes beyond that which an employee of this Bureau could properly aver. Certainly the points he raises are pertinent and perhaps could be utilized in the Department's arguments in support of the Government's position.

Enclosure
1 - Mr. Mohr
1 - Mr. Sullivan
1 - Mr. Tavel
1 - Mr. Rosen
1 - Mr. Bishop
1 - Mr. Dalbey
1 - Mr. Williamson
JLW:tak
(10)

ENCLOSURE

NOTE: Based on Memo D. J. Dalbey to Tolson, dated 3/17/71, captioned "Emory L. Brown, Jr. v. Mitchell, et al. Assassination of President John F. Kennedy Dallas, Texas 11/22/63. JLW:tak

Tolson
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MAR 24 1971

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I, (Name), a (Title) of the Federal Bureau of Investigation, being first duly sworn, depose as follows:

1. I have been a (Title) of the Federal Bureau of Investigation for the past _____ years during which time I have been engaged in supervisory and investigatory duties both at Washington, D.C., and in the field. By reason of my experience, I am familiar with the responsibilities and policies of the Federal Bureau of Investigation.

2. I have reviewed the complaint filed in the suit entitled "Emory L. Brown, Jr., Plaintiff, vs John Mitchell, Attorney General of the United States, The Department of Justice of the United States and J. Edgar Hoover, Director of the Federal Bureau of Investigation, Defendants," Civil Action 44-71, filed January 12, 1971, in the United States District Court - District of New Jersey. The information demanded by plaintiff would, if such exists, be contained in the investigative file compiled for law enforcement purposes by the FBI in connection with the assassination of President John F. Kennedy on November 22, 1963. At the present time this file consists of 383* volumes containing 12,600* serials. Some of these "serials," each of which is a separate document, are over 1,400 pages in length.

*Exact number of volumes and serials will be inserted at the time the affidavit is signed.

62-109060-6998 TEB

ENCLOSURE

3. While the FBI maintains an extensive and detailed indexing system permitting material in its files and records to be located, a search of our indexing systems failed to identify certain of the information requested by plaintiff. However, since plaintiff's demands are based on material originating in the files and records of other law enforcement agencies (principally the Dallas Police Department), to insure that our files do not contain the demanded information in any form would necessitate a detailed, page by page search of a substantial portion of the 383* volumes of this file. Such examination would require utilization of a large number of individuals for an extended period of time. This, in addition to the expense involved, would require reassignment of personnel who are presently carrying out investigatory and supervisory duties under responsibilities assigned to us.

4. The file is, and has been since it was opened on the assassination of President Kennedy, maintained in a "pending" or open status. All information contained in such file was placed there in connection with the investigative responsibilities of the FBI. These responsibilities go beyond the question of whether a prosecution or other law enforcement proceeding might still be initiated against any individual referred to in

*Number of volumes at time of signing of affidavit will be inserted.

this file. Not only is the FBI still actively engaged in investigating fully any allegations that a conspiracy existed relating to or responsible for President Kennedy's death, but the file contains information which would be of inestimable investigative value in the event of a future attempt on the life of a President. The file is replete with techniques and methods used by the FBI and other law enforcement agencies in the investigation of this matter. If revealed, it would seriously hamper the successful investigation of such an occurrence in the future. Lastly, forced revelation of sources of information, many of whom cooperated on the belief that their assistance would be concealed, would tend to jeopardize such cooperation in the future.

5. Release of the requested information would be not only a disservice, but a serious invasion of the right of personal privacy of those whose connection, however innocent, with this investigation might be made known. Investigative files compiled for law enforcement purposes contain all material furnished and developed during the course of the inquiry, some of which may be based on speculation, mistake or on unfounded suspicion. Removed from the context of the investigation as a whole, release of such raw data could result in irreparable injury to the reputation of those identified and could leave them, due to the passage of time, unable to refute any damage to their reputation caused by the revelation.

6. For the foregoing reasons, I believe that if compliance with a request as made by plaintiff herein were to be ordered by a court it would seriously affect the ability of the FBI to carry out its assigned investigative responsibilities.

_____

Washington
District of Columbia

Before me this _____ day of _____, 1971, Deponent

_____ has appeared and signed this affidavit first having sworn that the statements made therein are true.

My commission expires _____.

_____
Notary Public in and for the District of Columbia

Mar. 2, 1971

MEMORANDUM

TO: Jeffrey Axelrad (Rm. 3341)
General Litigation Section
Civil Division

FROM: Robert L. Saloschin
Chairman
Freedom of Information Committee
Office of Legal Counsel

SUBJECT: Suggestions for affidavit from FBI in Brown v. Mitchell, Civil Action No. 44-71 in U.S. D.C. N.J.

The following rough draft is in response to your request for the subject suggestions:

1. My name is (affiant's name) . I am the (title) in charge of the (division) of the Federal Bureau of Investigation (FBI) and am stationed in Washington, D. C. Since _____ I have been engaged in investigatory and supervisory duties in the FBI, and my past and present responsibilities in the FBI have generally included the following: (Describe them so as to show that affiant has a comprehensive and in-depth familiarity with the work and problems of the FBI, and perhaps conclude with some statement such as: "Accordingly, during my ___ years with the FBI, I have obtained a comprehensive knowledge of its problems and responsibilities.")

[illegible] (-10-60-6716

2. As a result of my experience in the FBI as noted above, I have become particularly familiar with the FBI's investigative law enforcement operations as they relate to and include (a) the achievement of effective cooperation with other investigative law enforcement organizations, including private, state and local, other federal, and foreign organizations, and the importance of such cooperation in the FBI's work and in other law enforcement activities;[1] (b) the acquisition, custody, handling, and uses of information and records in the investigatory files of the FBI and, to an extent, of other organizations engaged in investigative law enforcement, as well as the relationship of these record-oriented activities to the level of effectiveness of the cooperation among such organizations, ~~and to the attainment of cooperation from other sources of such information and records~~; and (c) the manner in which and extent to which the degree of cooperation and the conduct of record-

[1] The Warren Report at p. ___ criticized the lack of sufficient coordination among federal law enforcement agencies. The FBI makes every reasonable effort to maintain, so far as appropriate, optimum coordination and cooperation with all law enforcement organizations.

oriented activities, as referred to above, may be correlated with variations in the type, circumstances and objectives of particular investigative assignments or categories of assignments.

Note to affiant; Some condensation of this section 3 may be desirable but is not essential.

3. All of the investigative law enforcement activities of the FBI, like forms of law enforcement activity not involving investigation, are ultimately directed toward the minimization of violations of law, or certain kinds of violations, ~~within a given time and space framework.~~ In other words, such activities are conducted for law enforcement purposes. The word "enforcement" is here used in its ordinary and accepted meaning, as covering all government actions designated to secure obedience to law which involve any element of force, ~~overt~~ official or suggested, ranging from overpowering a felon caught in the attempt to suggesting, by imprisoning him, that imprisonment will be the lot of others who do similar things. However, differences in the plan or method for bringing about the desired minimization of violations warrant the classification of law enforcement activities, including investigations, as direct, indirect,

and mixed. Such a classification is pertinent to the functions served by the records involved.

Investigation in support of direct law enforcement is that which is undertaken in order to interrupt, thwart, obstruct, prevent, or terminate those violations of law, or those courses of conduct involving violations of law, which are either occurring or are in prospect at the time of the investigation, and which are more likely, absent investigation and other enforcement action, to be consummated or to continue. The distinguishing characteristic of such a direct law enforcement investigation is that its objective is to block the particular course of conduct being investigated, or at least to block or control the violations which such conduct may involve.

Indirect law enforcement investigative activity is that which seeks to minimize violations other than, and factually unconnected with, the particular course of conduct being investigated, even though there usually is a generic similarity between the conduct being investigated and the kind of violations the investigative activity seeks to inhibit or minimize. Indirect law en-

forcement investigations are those of past violations, where there is no reason to believe the particular violative conduct is continuing or recurring. The law enforcement effect of such an investigation is indirect because the effect takes place upon conduct not involved in the investigation, as people learn that certain conduct was investigated, that perhaps it was the subject of a law enforcement proceeding, and perhaps it resulted in some form of punishment. This kind of minimization of violations of law, usually called deterrence, depends upon the force of the suggestion to potential violators that conduct similar to that investigated may also lead to unpleasant results. In a purely indirect investigation the reasons for not disclosing investigative records do not include the protection of an effort to curb the particular violation investigated. In such a situation, any prosecution will be aimed at discouraging future violations. However (here insert the reasons for nondisclosure which would still apply, such as security of investigative techniques, protection of informants, etc.) (Reasons referred to through paragraph 9, below)

A mixed law enforcement investigation is one which seeks to enforce the law both by the interdiction or

termination of the course of illegal conduct being investigated and by the deterrence of similar but unconnected violations through legal proceedings resulting in known punishment. Thus, an investigation of antitrust law violations is typically intended both to stop the violations investigated and also to deter similar violations by others who become aware of the subsequent proceeding and its outcome. This is a common situation, but it is worth noting that there are law enforcement investigations which are almost wholly indirect and also ones which are almost wholly direct. Thus, experience has shown that some Dyer Act [2/] (interstate car theft) investigations involve subjects who would not repeat the offense, and such investigations accordingly tend to minimize this kind of crime only indirectly, not by breaking up the car theft activity or course of conduct that is being investigated but rather by deterring similar but factually unrelated conduct by others. In contrast, an investigation of possible efforts to obtain unauthorized access to classified cryptographic matter or special communications equipment may well be purely

2/ 18 U.S.C. _____.

such investigations should continue as long as law enforcement problem to which the investigations are pertinent continues to exist.

direct, because it may be concerned exclusively with preventing or terminating the violation of the law protecting communication security and not at all with prosecution or punishment, since such an investigation may be pursued with much vigor and equal law enforcement justification even though the persons investigated will plainly not be answerable in any law enforcement proceeding because, e.g., of diplomatic immunity, mental aberration, absence from the jurisdiction, or because a prosecution would itself jeopardize the communication security the law seeks to protect. If such violations can be discovered by investigation and terminated by physical security measures, that is law enforcement even if no adversary legal proceedings are contemplated.

4. Those investigative activities of the FBI which are designed to help enforce the laws likely to be violated by a presidential assassination are largely in aid of direct rather than indirect law enforcement, in the sense set forth under 3, above. In other words, such investigations are likely to be primarily concerned less with collecting evidence to prosecute an assassin after the crime is over than with preventing another assassination --

i.e, thwarting, interrupting, or terminating, in cooperation with the Secret Service and other local, state, federal, and foreign law enforcement organizations, further violations of these laws.[3] Investigations of this direct type are conducted as a regular matter because of continuing threats to assassinate government officials whether or not an assassination has recently occurred, although, as explained below, the actual occurrence of an assassination may greatly stimulate the opportunities for and volume of such investigative activity.

An investigation of an actual assassination, such as that of President Kennedy, where a person identified as the possible defendant has become immune from legal proceedings for one reason or another, including (as in that case) his death, serves two possible law enforcement purposes: (a) the indirect enforcement of the laws that may have been violated, by prosecuting other possible defendants, if any there be, an activity which might have some deterrent effect upon future assassinations,

3/ The laws referred to are 18 U.S.C.___ (assassinating _____); 18 U.S.C. ____ (attempting to _____; 18 U.S.C. ___ (conspiracy to _____); and other federal offenses which may be involved in such a course of conduct.

and (b) the direct enforcement of the laws against such future assassinations. The realization of this second law enforcement objective is the more important in terms of the preservation of a viable society even if there is no reason to believe that the particular assassination which occurred was part of a continuing course of conduct. This is because of the unusual investigative and other law enforcement opportunities presented by the relative rarity, notoriety and importance of assassinations as compared to other crimes. ~~In other words,~~ the assassination of a President and of certain other high governmental officials such as senators and judges, along with similar crimes in some foreign countries, and certain attempted assassinations both here and abroad that may not be known even to their intended targets, are likely as a practical matter to present avenues, not otherwise open, for investigations designed less to prosecute such conduct than to thwart future similar violations. These avenues of investigation are opened by such events because they (a) stimulate the

reporting, or the review, of much information that may have previously been overlooked, or not considered important, by informants and by investigators, and which may prove pertinent not to the past violation which stimulated the report or the review but to other, unconnected courses of similar conduct, (b) lead to changes, which may be discoverable where the absence of change might not be, in unconnected but continuing conduct that may have been directed to the same result, or that is or becomes directed to similar crimes, and (c) make available a considerably increased quantum of investigative and other law enforcement resources and energies to combat the type of violations involved, thereby generating new and improved hypotheses, insights, procedures, practices, techniques, devices, cooperative organizational relationships, other measures, information, records, and miscellaneous capabilities, all tending to minimize further violations of the law involved.

Such utilization of a major untoward event as a valuable opportunity for investigation designed to prevent similar future events is not unique to law enforcement

investigations of assassinations and the like, but is common to other investigations (whether or not law enforcement is involved) that are designed to prevent other major undesirable types of events, e.g., airline crashes, civil disturbances, and financial panics. The utilization of such major catastrophes for preventive study is indicated where the event is one in which human conduct is typically a key factor and where the event is of a type that is impractical to study under experimental conditions. In this sense, an investigation of an assassination is "open" ~~and not "closed"~~ so long as the information developed may help to prevent future assassinations. The fact that the information may not help make a legal case to prosecute the particular conduct which initiated the investigation is, in this type of situation, relatively unimportant.

5. Active and continuing cooperation by law enforcement organizations and other sources which are not subject to FBI control, or even to federal government control, is important and sometimes vital in the timely

detection and inhibition of courses of conduct aimed, or that may be aimed, at accomplishing assassinations. While most recent American assassinations that have been accomplished do not seem to have been the result of long-continued and carefully-organized group operations, this is not necessarily true of attempted assassinations generally in this and other modern nations. Under modern conditions there are many types of illegal conduct, including those which may involve assassinations, which cannot be successfully investigated within the jurisdictional confines of one locality or one law enforcement organization. Experience demonstrates that the necessary cooperation will not be made available unless information and records can be exchanged on a basis satisfactory to the organizations and sources which furnish them. Failure of the FBI to respect the limitations placed on the use of information furnished it by local and state police (the source of many of the records here involved), other federal investigators, foreign informants, private citizens, or other sources, might jeopardize the safety, reputations,

missions, or other interests of the cooperating individuals and organizations or, what is equally important, might be thought by them to do so. Such failure of respect by the FBI would, with a certainty approaching inevitability, cut off such information, or the bulk of it, henceforth or within the foreseeable future.

The importance of maintaining the trust upon which such cooperation rests is heightened because the FBI does not have subpoena power to obtain by compulsion information that others may choose to deny it. The ability of members of the law enforcement community of organizations to assist each other by exchanges of information essentially rests upon the consent of the holder of the information. Grudging consent or lack of it will impair and in some areas destroy the law enforcement effectiveness of these organizations. However, even if the FBI were to be granted subpoena power, there is little reason to believe that more useful investigative information would thereby be obtained, by and large, than is now obtained by present methods and arrangements, ~~that~~ These arrangements depend on encouraging continued cooperation by reciprocal help and protecting

RELI
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the interests of the sources. Willing cooperation based upon common concern for a lawful society and mutual consideration for each agency's circumstances is generally more productive than coerced cooperation.

6. If the premise be accepted, as the facts seem to indicate, that every recent assassination in this country was the work of one man, and not the result of a continuing course of conduct involving groups of men over a period of time, it does not necessarily follow that the investigations of such assassinations by the FBI and other organizations did not disclose other information that is pertinent to continuing risks of further but unconnected violations. Of course, to disclose whether these investigations actually did or did not unearth such information might in itself adversely affect the magnitude of such continuing risks. But there is no room for doubt as to their existence. There are at most times a number of individuals and organizations both within and outside almost any large and powerful country like this one who possess the motivations and the resources to mount assassination efforts when circumstances and conditions seem to them to warrant such efforts. If the

monitoring of their activities by organizations like the FBI can readily be exposed by a lawsuit or otherwise, their activities are thereby afforded significant protection insofar as the effectiveness of our monitoring, like the movements of a belled cat, will be impaired.

7. The records which are covered by the present request, as set forth on Mr. Brown's completed Form DJ-118 and the sheet which he attached thereto, are contained in bulky investigatory files located both in Washington and elsewhere. It is impossible to estimate, with accuracy, how much time of the FBI's staff would be required to collect and review these investigative files merely to locate the requested records, but it is clear that such time would be very considerable. For instance, the investigative files which would have to be searched in the Washington, D. C. area alone to comply with the present request comprise 383 file volumes containing more than 12,600 "serials", i.e., more or less distinct documents or records, and some of these individual serials are over 1,400 pages in length. For FBI agents to examine these voluminous files to find the records

covered by the present request is a process that would require a close and careful reading of a substantial part of this mass of material and at least a cursory review of the rest. Such work cannot, for the most part, be performed by clerical personnel but must be done by staff persons trained, paid, and normally utilized as professionals. The professional staff time required for this cannot be accurately estimated, but ~~in all probability it would far exceed six (?)~~ it would definitely involve several man-years. Over and above this, the same kind of process would have to be engaged in to review the additional files that are known to be outside the Washington area, ~~but which have not been positively located and counted to date in response to the present request, since this in itself would be a time-consuming and costly process.~~

The work described above would be merely to locate the particular records covered by the request. Once located, however, no further staff time would be required for determining whether such records are exempt from compulsory disclosure under 5 U.S.C. 552, since it is already known that they are all exempt ~~since they are~~ as part of investigatory files compiled for law enforcement purposes. Nor is it likely that further staff time would be

required in reviewing the records with a view to determining whether to voluntarily make them available in whole or part, since the Attorney General's letter to Mr. Brown of December 16, 1970, disposed of this question of discretionary disclosure. His letter gave the reason, among others, that such disclosure would require extensive diversion of Justice Department personnel from their regular law enforcement duties. Such diversion would consist (a) of the time required, as described above, to review the files to locate the requested records, plus (b) the further staff time (which would also be that of professional personnel of the Department but not necessarily of the FBI) required to evaluate whether particular records or parts thereof should be made available voluntarily. Affiant has not made an estimate of the staff time that (b) would require, but as indicated above (a) would probably require several man-years.

Even in the FBI, the impact of such a time requirement would be substantial. Although as previoualy noted it is not feasible to make an accurate forecast or estimate of the time which would actually be required, it would not be unreasonable to assume a requirement of eight man years, and such an assumption would probably be conservative.[4] Eight man years represents

[4] This assumption is based on an assumed average review rate of ten pages an hour, 2,000 hours per man-year, a possible 120,000 pages of files to be reviewed in Washington, and an allowance of only 2 man years to cover review of files outside Washington, supervision, and consultations.

the time of 16 agents for 6 months, 32 agents for 3 months, or 64 agents for 6 weeks. Sixty agents is roughly equivalent to the entire staff of an FBI office in an average medium-sized location, such as Denver, Baltimore, Atlanta or Seattle. Thus, the staff time required may be assumed approximately to represent that which could be obtained by shutting down such an FBI office for six weeks.

The impact of this on the FBI's regular duties would be considerable. During the amount of staff time that would be diverted to research in response to Mr. Brown's request, the agents diverted might investigate large numbers of interstate car thefts, frauds against the government, bank robberies, obstructions of justice, interstate kidnappings, airline hijackings or bombings, and many other kinds of crimes. This means that many law enforcement investigations within the responsibilities assigned to the FBI by Congress simply will not be performed if Mr. Brown's request and similar requests must be honored. Nor is postponement of regular FBI work an answer. To postpone law enforcement investigations of the kinds regularly performed by the FBI until work on the

Brown request is completed would tend substantially to increase the investigative work each case requires and to reduce the chances of law enforcement success, since delay in performing the typical investigation means greater risks of lost evidence, blurred memories, and the like.

8. (Here insert material following the lines of the "second" reason in the Attorney General's letter of December 16, 1970, to the extent not previously covered.)

9. (Here insert material along the lines of the "third" reason in the Attorney General's December 16th letter. In view of what will follow in 10., add a sentence or so at the end of this material to show that injury to individuals also hurts the FBI, in terms of the public's willingness to cooperate, etc.)

10. By reason of all of the foregoing, the adverse effect upon the FBI's investigative law enforcement responsibilities of complying with the Brown or any similar request would be so serious that, if compliance were to be finally ordered by a court, the FBI's ability to continue properly to assist the President in his duty

to take care that the laws be faithfully executed would be seriously ~~threatened~~ impaired, and affiant's duties would obligate him to request the appropriate executive branch officials to consider ~~the assertion and exercise of~~ whether executive privilege should be asserted.

(signature -- date -- notarization)

JMI:MIK:RLS:ca

Kamper
Lockman
Zener-Civil
Axelrod-Civil

cc:Files FBI
Solocchia
Copeland

DEC 18 1970

Mr. Henry L. Brown, Jr.
Route 4, Box 62
Squadron Road
Ramsingdale, New Jersey 07727

Dear Mr. Brown:

This is in response to your letter of September 8, 1970 requesting my review, pursuant to 28 C.F.R. §16.7(c), of the decision of August 6, 1970 by the Deputy Attorney General denying your request under the Freedom of Information Act, 5 U.S.C. 552, for certain records of investigations pertaining to the assassination of President Kennedy. According to your request Item DJ-118 of July 21, 1970 and its attachment, you seek "any record in the possession of * * * [the Justice] Department concerning the suspect individuals mentioned in Warren Commission Exhibits 703 and 1974." These two exhibits, as set forth in the published hearings of the Warren Commission, together cover 241 pages. The desired records are further described in a sheet attached to your request form which sets forth eight excerpts from the radio-log transcripts of the Dallas County Sheriff's Office and the Dallas Police Department for 22 November 1963. These excerpts typically refer to "accounts" of specified vehicles, or to a "person" or a "subject" or a "suspect", but in no case do any of the excerpts contain either the name or a detailed description of any individual.

In response to your appeal, I have carefully reviewed your request, its denial by the Deputy Attorney General, and your arguments as set forth in your letter to me of

September 6, 1970. Upon such review, I have determined that the denial by the Deputy Attorney General should be, and it hereby is, affirmed.

My action is based in part on the fact that the records you seek are all "investigatory files compiled for law enforcement purposes" and, as such, are exempted from compulsory disclosure under the 7th exception in the Freedom of Information Act. Accordingly, it is not necessary for us to determine to what extent some of the records you seek might be within other exceptions, such as the 6th exception for personal privacy, contained in the Act.

Having concluded that the records are exempt by law from required disclosure under the Freedom of Information Act, I could nonetheless disclose them as an exercise of my own discretion as Attorney General. I have decided not to do this for the reasons hereafter stated.

First, to comply with your request would require the review of voluminous investigative files located both in Washington and elsewhere. We do not believe it is possible to estimate accurately the time that a review of these records might involve, except that it would be extensive. Even if the Government could be assured that the taxpayers would be fully compensated, financially, for performing this extensive research, such a task would involve a diversion of this Department's personnel from their regular, principal duties of law enforcement as assigned to us by Congress.

Second, the records in question were not only originally "compiled" for law enforcement purposes, and thus are legally exempt, but they still serve such purposes. These purposes are quite apart from any question whether a prosecution or other law enforcement proceeding might still be initiated against any individual referred to in such records. The phrase "for law enforcement purposes"

in the statute covers other forms of law enforcement besides the conduct of legal proceedings, -- for instance, the prevention of future presidential assassinations. The fact that a given individual is or is not referred to in records such as these may in itself be important information, not only with respect to the possibility that such person is likely to be involved in future violative conduct but also as an indication of which individuals have and which have not been within the scope of investigative law enforcement attention. In addition to the identification of individuals, such records disclose the investigative methods of law enforcement organizations. Moreover, the free flow of information from citizens to law enforcement personnel, which is vital for law enforcement, would be seriously jeopardized if information previously furnished for law enforcement investigations is made readily available. Therefore records such as these, both by reason of the information they contain and by reason of their continued confidentiality, still serve law enforcement purposes.

Third, to make available records such as these would inflict unnecessary and unfair injury on private persons. Investigative law enforcement files frequently contain substantial amounts of raw, unevaluated matter which may violate personal privacy, which may be derogatory, defamatory, or otherwise injurious to an individual or an organization, or which is false, misleading, or malicious. Therefore release of such records could produce serious damage to a career, family, reputation or other human or economic interests.

The foregoing factors, which are the reasons for the exemption of such records from mandatory disclosure under the Freedom of Information Act, have led me to decide against a discretionary disclosure of the records you seek.

Sincerely,

John N. Mitchell
Attorney General

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27

5010-106

UNITED STATES GOVERNMENT

Memorandum

Tolson
Sullivan
Mohr
Bishop
Brennan, C.D.
Callahan
Casper
Conrad
Dalbey
Felt
Gale
Rosen
Tavel
Walters
Soyars
Tele. Room
Holmes
Gandy

TO : Mr. Tolson

DATE: 3/17/71

FROM : D. J. Dalbey

SUBJECT: EMORY L. BROWN, JR. V. MITCHELL, ET AL.;
ASSASSINATION OF PRESIDENT JOHN F. KENNEDY
DALLAS, TEXAS
11/22/63

Re memorandum of the Assistant Attorney General, Civil Division, captioned "Emory L. Brown, Jr. v. Mitchell, et al. USDC D N.J., Civil Action No. 44-70," dated 3/10/71, which requested that a draft copy of an affidavit stating the Bureau's reasons for refusing access to its files be submitted to the Department. The memorandum enclosed a copy of an affidavit prepared by Robert L. Saloschin, Office of Legal Counsel, for our guidance.

This request was made to enable the Department to defend against Brown's civil action filed 1/12/71, in U.S. District Court in New Jersey under the Freedom of Information Act. He alleges he has the right of access to certain information on the assassination of President Kennedy contained in Bureau files. Our files show the case is correctly cited "Civil Action No. 44-71."

While the Freedom of Information Act (Title 5, United States Code, Section 552) grants public access to certain Government files and records, Section 552(b) (7) of the Act excepts from disclosure "investigatory files compiled for law enforcement purposes...." This exception will be the principal defense raised by the Department. However, the courts have narrowly construed this exception and require that to be considered an "investigatory" file, there must be some possibility of future prosecution. Bristol-Myers Co. v. F.T.C., 424 F2d 935, cert. den. 400 U.S. 824 (1970). Consequently, the Department is seeking support for the theory that even though prosecution is not foreseen,

Enclosure
1 - Mr. Mohr
1 - Mr. Sullivan
1 - Mr. Tavel
1 - Mr. Rosen
1 - Mr. Bishop
1 - Mr. Dalbey
1 - Mr. Williamson
JLW:tak
(8)

REC-2 62-109060-6999

LEGAL COUNSEL

MAR 24 1971

MAR 21 1971

CONTINUED - OVER

56 MAR 29 1971

NOT RECORDED
156 MAR 29 1971

XEROX COPY FILED IN

Memorandum to Mr. Tolson
Re: Emory L. Brown, Jr. v. Mitchell, et al.
Assassination of President John F. Kennedy
Dallas, Texas
11/22/63

the file still has significant "law enforcement purposes." To this end they have requested an affidavit executed by the Bureau setting forth the reasons that require this file be closed to the public. For guidance, they furnished a draft affidavit which, upon our review, was found to be unacceptable for execution by a Bureau employee. Much of the material contained in their draft affidavit is highly theoretical and better suited for a legal argument in defense of the suit. It is not the sort of factual material that, in our opinion, should be stated in an affidavit.

In accordance with the Department's request, an affidavit in draft form has been prepared which sets forth the facts which support and explain why opening the file would be improper. This proposal and a letter forwarding same to the Department are attached.

RECOMMENDATION:

That the proposed letter and draft affidavit be approved and sent to the Department.

UNITED STATES GOVERNMENT

Memorandum

1 - W.C. Sullivan
1 - J.P. Mohr
1 - A. Rosen

TO : C. D. Brennan

DATE: 3/15/71

1 - I.W. Conrad
1 - C.D. Brennan
1 - W.A. Branigan
1 - L. Whitson

FROM : W. A. Branigan

SUBJECT: MARINA OSWALD
TORT CLAIM

On March 15, 1971, Mr. Irwin Goldbloom, General Litigation, Civil Division, Department of Justice, phoned Special Agent Whitson and stated that he was calling with regard to the tort suit brought by Marina Oswald to recover the value of certain Warren Commission exhibits. It seems that a number of documents had been chemically treated in connection with laboratory examination of Lee Harvey Oswald's belongings and were thereby badly stained.

Mr. Goldbloom stated that Marina Oswald's lawyer wanted to take depositions with regard to the examination of the documents and that a pre-trial conference was being held Wednesday the 17th in Dallas, Texas.

Mr. Goldbloom was told that he should put in writing what he wanted from the Bureau, in a letter to the Director, and the letter would be directed to that Division which could best handle the Department's request.

ACTION:

For information.

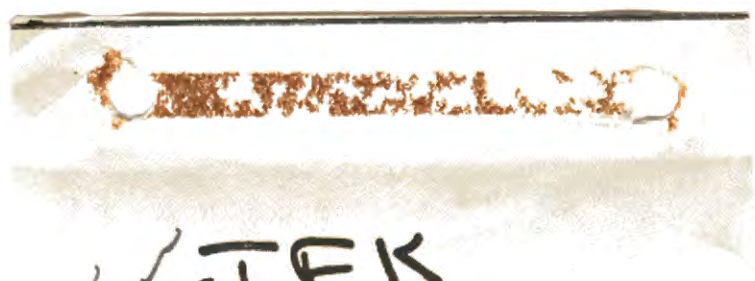
REC-10 62-109060-7000

1 MAR 23 1971

ESTINDEX

54APR5 1971

LW:pld
(8)



JFK
62-109060
SECTION 175
COPY 2

FBI

Date: 3/16/71

Transmit the following in _____
(Type in plaintext or code)

Via AIRTEL AIRMAIL
(Priority)

TO: Director, FBI (62-109060)

FROM: SAC, New Orleans (89-69) (P)

ASSASSINATION OF PRESIDENT JOHN
FITZGERALD KENNEDY, DALLAS, TEXAS,
NOVEMBER 22, 1963
MISC. - INFORMATION CONCERNING
OO: Dallas

Enclosed for the Bureau is a newspaper article appearing in the New Orleans States-Item concerning above-captioned matter.

One copy each of this newspaper article is enclosed for Dallas and Miami.

(2) - Bureau (Enc.1)
1 - Dallas (89-43)(Enc. 1)
1 - Miami (Enc. 1)
1 - New Orleans
ECW:bs
(5)

SI-115
REC 70
62-109060-7001

RECORDED
1 MAR 19 1971

5 1 APR 6 1971

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

(Mount Clipping in Space Below)

Shaw Lawyers Say U.S. Court Can Close Case

Recent U.S. Supreme Court decisions make it clear that a federal court here has the right to throw out perjury charges against Clay L. Shaw, attorneys for the one-time Kennedy assassination plot defendant asserted today.

In briefs filed before U.S. District Judge Herbert W. Christenberry, Shaw's attorneys cited a set of decisions rendered by the high court Feb. 23 pertaining to federal court intervention in state prosecutions.

THE DECISIONS in fact tighten guidelines for lower U.S. courts in deciding whether to step into state criminal matters but Shaw's attorneys contend the language clearly leaves the door open for Judge Christenberry to throw out the charges placed against Shaw by District Attorney Jim Garrison.

Shaw is charged with perjury on the basis of his testimony in his 1969 trial on charges of conspiring to kill President John F. Kennedy.

Garrison contends Shaw lied when he testified he never knew accused presidential assassin Lee Harvey Oswald or the late David W. Ferrie, who Garrison says also participated in the alleged slaying plot.

SHAW WAS acquitted of the conspiracy charge March 1, 1969, but Garrison charged him with perjury soon after. He is seeking to have Judge Christenberry halt the perjury prosecution and a hearing was held on the motion in January. The judge has since had the matter under advisement pending filing of briefs.

Garrison's office now has two weeks to file answers to the briefs filed today. Judge Christenberry is expected to rule shortly thereafter. Any ruling he may make can be appealed by either side.

DISCUSSING the Supreme Court decision, Shaw's attorneys wrote:

". . . Defendant Jim Garrison will find no comfort or solace in any of these decisions. Quite the contrary . . . (they) make it quite clear that this court does have the right, the power and the authority to grant Shaw the injunctive relief he seeks."

Such action is permissable, the brief argues, when bad faith, harassment and selective law enforcement on the part of the prosecutor is shown.

(Indicate page, name of newspaper, city and state.)

PAGE 2

THE STATES-ITEM

NEW ORLEANS, LA.

Date: 3-12-71
Edition: COMET
Author:
Editor: WALTER G. COWAN
Title: ASSASSINATION OF PRESIDENT JOHN F. KENNEDY, TEXAS
Character: or 11-22-63
Classification: 89-69A
Submitting Office:

☐ Being Investigated

60-109060-71

FILED

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Tolson

DATE: 3/25/71

FROM : D. J. Dalbey

SUBJECT: EMORY L. BROWN, JR. v. MITCHELL, ET AL.; ASSASSINATION OF PRESIDENT JOHN F. KENNEDY, DALLAS, TEXAS, 11/22/63

Re memorandum of 3/23/71, from the Assistant Attorney General, Civil Division, captioned "Emory L. Brown, Jr. v. Mitchell, et al., USDC D N.J., Civil Action No. 44-70," requesting that the affidavit previously submitted to them be executed and returned.

By memorandum of 3/10/71, the Department requested a draft copy of an affidavit stating the Bureau's reasons for refusing access to its files be submitted to them. This request was made to enable the Department to defend against the civil action filed by Brown in U.S. District Court in New Jersey under the Freedom of Information Act in which he alleges he has the right of access to certain information on the assassination of President Kennedy which is contained in Bureau files.

A proposed affidavit was prepared and submitted to the Department by letter dated 3/18/71. The Department approved our draft and now requests that it be executed and returned. The affidavit has been signed by Special Agent Henry A. Schutz, Jr., Supervisor in charge of the General Crimes Unit of the General Investigative Division, who has the supervisory responsibility over the investigation concerning the assassination of President Kennedy.

REC 8 62-109060-7002

The executed affidavit and the requested five copies with a letter forwarding same to the Department are attached.

RECOMMENDATION:

That the proposed letter enclosing the affidavits be approved and sent to the Department.

Enc. sent 3-26-71

1 - Mr. Mohr
1 - Mr. Sullivan
1 - Mr. Bishop
JLW:mfd (8)
1 - Mr. Rosen
1 - Mr. Tavel
1 - Mr. Dalbey
1 - Mr. Williamson

Sullivan
Mohr
Bishop
Brennan, C.D.
Callahan
Casper
Conrad
Dalbey
Felt
Gale
Rosen
Tavel
Walters
Soyars
Tele. Room
Holmes
Gandy

Assistant Attorney General
Civil Division

March 26, 1971

Director, FBI

REC 8 62-109060-7103

1 - Mr. Mohr
1 - Mr. Sullivan
1 - Mr. Bishop
1 - Mr. Rosen
1 - Mr. Tavel
1 - Mr. Dalbey
1 - Mr. Williamson

EMORY L. BROWN, JR. v. MITCHELL, ET AL.

ST-100

As requested in your memorandum, captioned as above, dated March 23, 1971, enclosed are the original and five copies of an affidavit executed by Bureau Supervisor Henry A. Schutz, Jr.

Enclosures (6)

NOTE: Based on memo D. J. Dalbey to Mr. Tolson, dated 3/25/71, captioned "Emory L. Brown, Jr. v. Mitchell, Et Al., Assassination of President John F. Kennedy, Dallas, Texas, 11/22/63," JLW:mfd.

JLW:mfd
(10)

MAILED 12
MAR 25 1971
FBI

MAR 31 1971

ENCLOSURE

51 APR 6 1971

MAIL ROOM ☐ TELETYPE UNIT ☐

I, Henry A. Schutz, Jr., a Special Agent of the Federal Bureau of Investigation, being first duly sworn, depose as follows:

1. I have been a Special Agent of the Federal Bureau of Investigation for the past 23 years during which time I have been engaged in supervisory and investigatory duties both at Washington, D. C., and in the field. By reason of my experience, I am familiar with the responsibilities and policies of the Federal Bureau of Investigation.

2. I have reviewed the complaint filed in the suit entitled "Emory L. Brown, Jr., Plaintiff, vs John Mitchell, Attorney General of the United States, The Department of Justice of the United States and J. Edgar Hoover, Director of the Federal Bureau of Investigation, Defendants," Civil Action 44-71, filed January 12, 1971, in the United States District Court - District of New Jersey. The information demanded by plaintiff would, if such exists, be contained in the investigative file compiled for law enforcement purposes by the FBI in connection with the assassination of President John F. Kennedy on November 22, 1963. At the present time this file consists of 384 volumes containing 12,659 serials. Some of these "serials," each of which is a separate document, are over 1,400 pages in length.

3. While the FBI maintains an extensive and detailed indexing system permitting material in its files and records to be located, a search

MAR 31 1971

62-109060-7003

ENCLOSURE

of our indexing systems failed to identify certain of the information requested by plaintiff. However, since plaintiff's demands are based on material originating in the files and records of other law enforcement agencies (principally the Dallas Police Department), to insure that our files do not contain the demanded information in any form would necessitate a detailed, page by page search of a substantial portion of the 384 volumes of this file. Such examination would require utilization of a large number of individuals for an extended period of time. This, in addition to the expense involved, would require reassignment of personnel who are presently carrying out investigatory and supervisory duties under responsibilities assigned to us.

4. The file is, and has been since it was opened on the assassination of President Kennedy, maintained in a "pending" or open status. All information contained in such file was placed there in connection with the investigative responsibilities of the FBI. These responsibilities go beyond the question of whether a prosecution or other law enforcement proceeding might still be initiated against any individual referred to in this file. Not only is the FBI still actively engaged in investigating fully any allegations that a conspiracy existed relating to or responsible for President Kennedy's death, but the file contains information which would be of inestimable investigative value in the event of a future attempt on the

life of a President. The file is replete with techniques and methods used by the FBI and other law enforcement agencies in the investigation of this matter. If revealed, it would seriously hamper the successful investigation of such an occurrence in the future. Lastly, forced revelation of sources of information, many of whom cooperated on the belief that their assistance would be concealed, would tend to jeopardize such cooperation in the future.

5. Release of the requested information would be not only a disservice, but a serious invasion of the right of personal privacy of those whose connection, however innocent, with this investigation might be made known. Investigative files compiled for law enforcement purposes contain all material furnished and developed during the course of the inquiry, some of which may be based on speculation, mistake or on unfounded suspicion. Removed from the context of the investigation as a whole, release of such raw data could result in irreparable injury to the reputations of those identified and could leave them, due to the passage of time, unable to refute any damage to their reputation caused by the revelation.

6. For the foregoing reasons, I believe that if compliance with a request as made by plaintiff herein were to be ordered by a court

it would seriously affect the ability of the FBI to carry out its assigned investigative responsibilities.

_____

Washington
District of Columbia

Before me this _____ day of _____, 1971, Deponent _____ has appeared and signed this affidavit first having sworn that the statements made therein are true.

My commission expires _____

_____
Notary Public in and for the District of Columbia

Memorandum

TO : Mr. J. Edgar Hoover
Director, Federal Bureau of Investigation

DATE: MAR 23 1971

FROM : L. Patrick Gray, III
Assistant Attorney General
Civil Division

LPG,III:JFAxelrad:bd
145-12-1512

SUBJECT: Emory L. Brown, Jr. v. Mitchell, et al.
USDC D N.J., Civil Action No. 44-70

Mr. Tolson
Mr. Sullivan
Mr. Mohr
Mr. Bishop
Mr. Brennan C D
Mr. Callahan
Mr. Casper
Mr. Conrad
Mr. Felt
Mr. Gale
Mr. Rosen
Mr. Tavel
Mr. Walters
Mr. Sayers
Tele. Room
Miss Holmes
Miss Gandy

The draft affidavit sent under cover of your March 18, 1971 memorandum to us is suitable for filing as drafted. Please proceed to have it typed in final, executed and notarized and transmit the original and five copies to us as soon as possible.

Assassination of President John F. Kennedy

Williams 5730

62-117582

EX-102

SE-100

MAR 23 1971

Let Mr. Conrad 3/26 JLW.mjt

REC 8 62-109060-7003

6 MAR 30 1971

1 COPIES DESTROYED

MAR 31 1971

21 JAN 17 1973

CORRESPONDENCE

1 - [illegible]ce, 7133 1 - Mr. Conrad
1 - [illegible]. Williams 1 - Mr. Mohr
1 - Mr. Frazier 1 - Mr. Sullivan
1 - Mr. Dalbey
3/23/71 1 - Mr. Rosen
1 - Mr. Bishop

The Deputy Attorney General

REC-83 62-10[illegible]10.60-7004

Director, FBI

EX-103

**FREEDOM OF INFORMATION REQUEST -
HAROLD WEISBERG**

Reference is made to your memorandum dated March 16, 1971, forwarding a letter from Mr. Weisberg for comment (Form DJ 118, and Mr. Weisberg's letter dated March 4, 1971, and personal check in the amount of $3.00 attached).

Your attention is directed to your memoranda dated May 19, 1970, and June 22, 1970, and my replies dated May 28, 1970, and July 1, 1970, respectively, concerning previous requests from Mr. Weisberg for photographs and other information from the investigative files of this Bureau relating to the assassination of President Kennedy.

Your attention is also directed to current litigation in the matter of Harold Weisberg v. Department of Justice, USDC D. C., Civil Action No. 2301-70, in which Mr. Weisberg has petitioned the court, under the Administrative Procedures Act, for other material relating to the assassination.

MAILED 2
MAR 24 1971
FBI

Since the photographs requested are part of the investigative files of this Bureau and in view of the pending litigation, it is recommended that Mr. Weisberg's request be denied. The attachments to your memorandum are being returned as enclosures to this memorandum.

Enclosures (3)

1 - Assistant Attorney General
Civil Division

NOTE: Based on memo Griffith to Conrad 3/22/71, same re.

MEW:lib (13)

UNRECORDED COPY FILED IN

Felt
Sullivan
Mohr
Bishop
Brennan, C.D.
Callahan
Casper
Conrad
Dalbey
Dull
Gale
Rosen
Tavel
Walters
Soyars
Tele. Room
Holmes
Gandy

MAIL ROOM ☐ TELETYPE UNIT ☐

APR 2 1971

UNITED STATES GOVERNMENT

Memorandum

DEPARTMENT OF JUSTICE

TO : Honorable J. Edgar Hoover
Director
Federal Bureau of Investigation

DATE: March 16, 1971

FROM : Richard G. Kleindienst
Deputy Attorney General

SUBJECT: Freedom of Information Request -
Harold Weisberg

Mr. Weisberg requests access to certain photographs regarding the investigation of the assassination of President Kennedy.

Would you please review Mr. Weisberg's request and give me your comments.

Please return the materials when you are through with them. Thank you.

Mr. Tolson
Mr. Sullivan
Mr. Mohr
Mr. Bishop
Mr. Brennan CD
Mr. Callahan
Mr. Casper
Mr. Conrad
Mr. Felt
Mr. Gale
Mr. Rosen
Mr. Tavel
Mr. Walters
Mr. Soyars
Tele. Room
Miss Holmes
Miss Gandy

Enclosures (to be returned to Dept.) by letter 3/22/71
(1) Letter from Harold Weisberg to Mr. Gerald D. Jones 3/9/71
(2) Form DJ 118 dated 3/4
(3) Weisberg check in amount of $15.00

Copies attached

3 ENCLOSURE REC-83

62-107060-7004

EX-103

17 MAR 30 1971

Returned to Mr. Conrad from Mr. W. D. Griffin 3-22-71 MEW:lb
W/Ltr to Deputy AG 3-23-71 MEW:lb

8-Xerox Copies of the document + attachments. In view 3/22/71 Griffin to Conrad same see.

APR 2 1971

UNRECORDED COPY FILED IN 100-3-104-26

Coq d'Or Press ROUTE 9 FREDERICK, MD. 21701
Code 301/473-8186

3/4/71

Mr. Gerald D. Fines
Assistant to the Deputy Attorney General
U.S. Department of Justice
Washington, D.C. 20530

Dear Mr. Fines,

Your letter of February 22 arrived when I was out of town. In response, let me begin by quoting the first part of your second paragraph, for I think it is inaccurate and that it would be unfortunate were such a misconception to become a fixed idea:

"In order for your request to be considered, it is necessary that you complete the enclosed Form DJ-118 in detial."

This is not accurate as a matter of either fact of law, and most of the information provided by your Department and others is provided without completion of such forms. You may elect to require the completion of the form. Because you have this rights, I enclose the completed one.

Naturally, I could have included one with the original letter. However, as you may not understand, I find the whole concept that a citizen must use legal force to obtain public information from his government inconsistent with the theory of our society and government.

I do hope the day comes when government feels the same way.

The required check is also enclosed.

Sincerely,

Harold Weisberg

APR 2

62-109060-7004

REQUEST FOR ACCESS TO OFFICIAL RECORD
UNDER 5 U.S.C. 552(a) and 28 CFR PART

See instructions for payment and delivery of this form at bottom of page

NAME OF REQUESTER	ADDRESS (street, city, state and zip code)
Harold Weisberg	Rt. 8, Frederick, Md. 21701
DATE: 3/4/71	

DO YOU WISH TO RECEIVE COPIES? ☒ YES ☐ NO IF YES, SO INDICATE (no more than 10 copies of any document will be furnished).	NUMBER OF COPIES REQUESTED	OFFICE AND CITY WHERE RECORD IS LOCATED (if known)
	1 each	Washington

DESCRIPTION OF RECORD REQUESTED (Include any information which may be helpful in locating record) 8x10 glossy prints of damage to President Kennedy's clothing prior to removal of samples for spectrographic and/or other analyses, made from negatives rather than prints; other photographs of damages to this clothing (other than FBI Exhibit 60), 8x10 glossy, also made from negatives rather than prints, as per letter of 2/17/71. Although this is separate from existing litigation, it can be said to be related.

LITIGATION: DOES THIS REQUEST RELATE TO A MATTER IN PENDING OR PROSPECTIVE LITIGATION? ☒ YES ☐ NO

FILL IN IF IN PENDING -> LITIGATION	COURT (check one)	DISTRICT	NAME OF CASE	DOCKET NUMBER
	☒ FEDERAL ☐ STATE	DC	Weisberg v GSA, Nat. Archives	CA 2569-70

Harold Weisberg
SIGNATURE

FOR USE BY DEPARTMENT OF JUSTICE ONLY

THIS REQUEST IS:

☐ GRANTED

☐ DENIED

☐ REFERRED

A MINIMUM FEE OF $3.00 MUST ACCOMPANY THIS REQUEST. OTHER CHARGES ARE AS FOLLOWS. (do not write in this box)

FOR SECOND AND EACH ADDITIONAL ONE QUARTER HOUR SPENT IN SEARCHING FOR OR IDENTIFYING REQUESTED RECORD $ 1.00	
FOR EACH ONE QUARTER HOUR SPENT IN MONITORING REQUESTER'S EXAMINATION OF MATERIAL $ 1.00	
COPIES OF DOCUMENTS: 50¢ FIRST PAGE, 25¢ EACH ADDITIONAL PAGE	
FOR CERTIFICATION OF TRUE COPY $ 1.00 EACH	
FOR ATTESTATION UNDER THE SEAL OF THE DEPARTMENT $ 3.00 EACH	
GSA CHARGE	
TOTAL CHARGE	

Payment under this section shall be made in cash, or by United States money order, or by check payable to the Treasurer of the United States. Postage stamps will not be accepted.

This form may be delivered to any of the offices listed in 28 C. F. R. 16.2 or mailed to: Office of the Deputy Attorney General, Department of Justice, Washington, D. C. 20530

APR 2 1971

COQ. D'OR PRESS
ROUTE 8
FREDERICK, MD. 21701
PHONE 301 473-8166

No. _____

65-26
521

FREDERICK, MD. 3/4 19 71

PAY TO THE ORDER OF Treasurer of the United States $ 3 00/100

Three and ——————————— 00/100 DOLLARS

FARMERS AND MECHANICS NATIONAL BANK
FREDERICK, MARYLAND

Harry Kelly

⑈0521⑈00 26⑈

1 XEROX

APR 2 1971

62-109060-7081

ENCLOSURE

FBI

Date: 4/1/71

Transmit the following in _____
(Type in plaintext or code)

Via AIRTEL AIRMAIL
(Priority)

TO: Director, FBI (62-109060)

FROM: SAC, New Orleans (89-69)

ASSASSINATION OF PRESIDENT JOHN
FITZGERALD KENNEDY, DALLAS, TEXAS
NOVEMBER 22, 1963
MISC. - INFORMATION CONCERNING
OO: Dallas

Enclosed for the Bureau is a newspaper article appearing in the Times-Picayune, New Orleans, La., concerning captioned matter.

One copy each of this newspaper article is enclosed for Dallas and Miami.

(2) - Bureau (Enc. 1)
1 - Dallas (89-43)(Enc. 1)
1 - Miami (Enc. 1)
1 - New Orleans
ECW:bs
(5)

REC-78 62-109060-702

APR 5 1971

XEROX
APR 8 1971

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

(Mount Clipping in Space Below)

DA, Shaw File Briefs in Case

Perjury During Previous Trial Alleged

Reply briefs have been submitted by each side in the federal court case in which Clay L. Shaw seeks to enjoin district attorney Jim Garrison from prosecuting him on a perjury charge growing out of Shaw's trial for alleged conspiracy to assassinate President John F. Kennedy.

The briefs were submitted to Federal District Judge Herbert W. Christenberry who has issued a temporary restraining order blocking Shaw's prosecution until he decides the suit seeking an injunction against the prosecution.

The temporary restraining order was issued Jan. 27, after a three-day hearing.

BEING CHARGED

Garrison has charged that Shaw lied when he testified during his conspiracy trial that he did not know accused presidential assassin Lee Harvey Oswald or David Ferrie, another figure in Garrison's assassination case.

Garrison's reply brief claims that Shaw has failed to show malice or bad faith in the perjury prosecution.

"To the contrary, defendant (Garrison) categorically and forthrightly stated under oath as a witness called by the plaintiff that he would 'rather the plaintiff be acquitted than for any of his constitutional rights to be violated' and denied any malice toward plaintiff."

The DA contends that Shaw charges that there was a conspiracy between the district attorney and the contributors to his investigative fund, "yet no such situation was even remotely established by the plaintiff."

REPLY IS TOLD

Replying to Garrison's brief, Shaw said that the memorandum is "quite perfunctory, is couched in very general conclusionary terms and except for an avowal of good faith on the part of the defendant, fails to respond to any of the issues of fact which have been submitted for the court's determination."

Shaw's reply also says that he fears further prosecution, even if tried and acquitted on the perjury charge.

"It is asserted by the defendant that if plaintiff were acquitted by the jury, plaintiff could not and would not be subject to possibility the defendant in his other charges, not necessarily a charge of perjury, against plaintiff," Shaw contends.

(Indicate page, name of newspaper, city and state.)

SECTION 1
PAGE 16

TIMES-PICAYUNE

NEW ORLEANS, LA.

Date: 3/30/71
Edition:
Author:
Editor: GEORGE T. HEALY, JR.
Title: ASSASSINATION OF PRESIDENT JOHN F. KENNEDY, TEXAS- 11-22-63
Character:
or
Classification: 89-69A
Submitting Office:

☐ Being Investigated

APR 8

62-109060 — 1005

FBI

Date: 3/31/71

Transmit the following in _____ (Type in plaintext or code)

Via AIRTEL AIRMAIL (Priority)

TO: Director, FBI (62-109060)

FROM: SAC, New Orleans (89-69) (P)

ASSASSINATION OF PRESIDENT JOHN FITZGERALD KENNEDY, DALLAS, TEXAS, NOVEMBER 22, 1963
MISC. - INFORMATION CONCERNING
OO: Dallas

Enclosed for the Bureau are two newspaper articles appearing in the New Orleans States-Item concerning captioned matter.

One copy each of these articles is enclosed for Dallas and Miami.

2 - Bureau (Enc. 2)
1 - Dallas (89-43)(Enc. 2)
1 - Miami (Enc. 2)
1 - New Orleans
ECW:bs
(5)

I - 62-109060

FIVE-BOX

NOT RECORDED
9 APR 2 1971

2 - ENCLOSURE

61 APR 8 1971

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

(Mount Clipping in Space Below)

The Schiro Years: XVI

Jim Garrison Called Formidable Politician

By VICTOR H. SCHIRO
In Collaboration with Allan Katz
(C, 1971, Victor H. Schiro)

District Attorney Jim Garrison, who entered the 1970s beginning his third term in office, emerged during the 1960s as one of the most powerful political figures in the city and the state.

Garrison achieved national prominence as he successfully waged battles against Bourbon Street strip joints and B-drinkers and incumbent criminal court judges. He came off with nothing worse than a draw in a clash with the Legislature and also in a rather memorable battle with me. In fact, the only real defeat ever suffered to date by Garrison came in 1969 at the hands of a jury of 12 New Orleanians who in 52 minutes threw out his charges that Clay Shaw conspired to assassinate President John F. Kennedy.

For Jim Garrison, it's been a remarkable and fascinating career — especially when you consider that in the view of many political observers it was only by a lucky fluke that Jim was first elected in 1961.

AT THAT TIME, Garrison, a former assistant city attorney, first ran for DA. It was the same campaign in which I managed to spring an upset victory in the mayor's race.

The incumbent DA at that time was Richard Dowling, an Old Regular who was felt to be politically vulnerable. The major competition for Dowling was not expected to come from Garrison, however, but from Irvin Dymond, a very capable attorney.

Garrison ran for DA on the platform that he would be a full-time district attorney. When Dymond was asked on a television debate whether he would be a full-time DA, he replied curtly that he could not live on the $15,000 salary then paid the DA and if the voters wanted a full-time DA they should cast their ballots for someone else.

That was sufficient for many voters. Although I did not endorse a DA candidate in the campaign on the grounds that a district attorney must be independent, many of my ward leaders worked for Garrison. They effectively reminded voters of Dymond's remarks in the TV debate.

I am sure many people have wondered how history might have been changed had Dymond answered the question about being a full-time DA a bit more diplomatically that night on television in 1961. It's just another lesson in basic politics about speaking softly.

OF COURSE, THE FINAL touch of irony is that it was Dymond, almost a decade after the 1961 election, who led the defense for Clay Shaw in his aspiring to murder the late President.

At any rate, Garrison was able to spring his own upset in the 1961 elections.

Garrison soon began to crack down on the Bourbon Street strip joints that were violating the law. As mayor, I had no objections to that and from a legal standpoint, was not in a position to make any comment anyway. If Garrison had the evidence, it was his duty to take these cases to the courts where they could be settled properly — one

62-109060 -

(Indicate page, name of newspaper, city and state.)

PAGE 12

THE STATES ITEM

NEW ORLEANS, LA.

Date: 3-30-71
Edition: COMET
Author:
Editor: WALTER G. COWAN
Title: ASSASSINATION OF PRESIDENT JOHN F. KENNEDY, TEXAS
Character: 11/23/63
or
Classification: 89-69A
Submitting Office:

☐ Being Investigated

way or another. Those crackdowns marked the beginning of the end for quittal on Garrison's charges of con- "wicked" Bourbon Street, of course. The problems that many of the strip joints have today actually began in 1961 with Garrison's crackdowns and continued enforcement of existing laws. (I should note that police officers assigned to the DA's office were instrumental in the crackdown, and that during my administration the vice squad rigorously enforced the laws and we successfully curbed the activities of barkers luring in customers for clubs.)

The new DA also soon ran afoul of the incumbent Criminal Court judges. This led to his famous clash with the Legislature, which censured Garrison. He promptly found another way to skin the cat and began working for the election and appointment of Criminal Court judges he favored. Garrison supported John J. McKeithen in the 1964 gubernatorial race and exercised considerable influence on the governor's appointment of judges for new sections and vacancies.

TODAY, SIX OF THE 10 judgeships are held by men either appointed to their jobs since Garrison took office or elected with his aid.

By 1965, with elections coming up for both Garrison and myself, the DA was at the peak of his popularity. He had established a reputation as a forceful fighter for change, was highly effective with the mass media and had generally established an enviable name for himself.

And, it was at precisely that point when I had a head-to-head confrontation with the District Attorney.

A few months earlier, in November, 1964, a bar owner named Clarence Bielosh reported that his safe had been stolen. The safe eventually was found in a canal. Investigating police officers found some football gambling cards floating next to the safe.

Several months after the safe was recovered, reports began circulating that Bielosh allegedly had made a payment of $600 to someone in Garrison's office to destroy illegal football cards in the safe.

POLICE SUPT. JOE Giarrusso told me he felt there was also an implication in the reports that police officers might be involved. He said an investigation ought to be launched to clear up the matter once and for all. Garrison, who had assigned his own investigators to the matter, was incensed when police investigators sought to question the DA's personnel and examine his office records.

Garrison felt any efforts by police investigators to look into matters involving his office infringed on his prerogatives.

As the controversy grew hotter, I found myself trapped exactly in the middle. On the one hand, my police chief felt this was a matter that needed to be investigated and cleared up to remove any suspicion of police involvement or to take proper action if warranted. On the other hand, I was faced with a furious DA who was warming up to take dead aim at my jugular in an election year.

It was not a pleasant decision but I felt that the investigation had to go on to some logical conclusion. My reasoning was that it is far worse to back away from a problem than it is to go in and face it.

FINALLY, ON JUNE 24, 1965, Garrison dramatically announced he was sending 21 questions to the mayor which would be followed by a visit to me from his investigators to get answers.

Well, I have to concede it was a brilliant tactical move on Garrison's part. The questions, in fact, were nothing but a lot of hot air that had little to do with the Bielosh case or the independence of the DA or anything else. However, the newspapers carried the story as if I had been firmly nailed to the wall—just the kind of headlines that are every elected official's nightmare.

Viewed closely, the questions were nothing to be afraid of. In fact, some were a little silly. However, it was not the questions that were to be feared but the impact that the entire splash might have on the public mind that concerned me.

The first thing I did was take a deep breath. This was no time to be pushed into a hasty statement such as Mr. Dymond made in 1961. In the end, I decided that I wouldn't enter into a shouting match with Garrison and that the investigation of the Bielosh affair would continue.

THE NEXT DAY, I issued a terse reply to Garrison, not indicating directly whether I would answer his questions but saying:

"If you have any information or knowledge of illegal or improper actions by any elected official or other persons, including me, it is your sworn duty to institute formal proceedings in these cases." I phrased it even more succinctly in a television interview on the Mid-Day program by saying, "Put up or shut up."

In fact, I had no intention of directly answering those aimless questions. Once an elected official gives credence to that kind of thing, he might as well pack his suitcases and return home.

From that point onward, the path of the investigation was downhill. Garrison sent five of his investigators to my office to search my records for evidence of wrong-doing. They found nothing. Garrison also permitted police investigators to question his staff and examine his records. No evidence of wrong-doing was found. The matter ground to a close.

Shortly after, Jim Garrison and I had lunch together. We both managed to laugh a little about our confrontation. I assured him that I wasn't the least bit afraid of him. He assured me he wasn't the least bit afraid of me. That marked the end of our one and only public quarrel. I was glad it was over and he probably was also.

STILL, THERE WAS a lesson in it for me and for other elected officials. Public opinion polls taken prior to June when the clash began and sometime afterwards showed that my support with voters had taken a sharp drop. Garrison had swatted me hard not many months before an election, proof of his ability to leave a scar on anyone with whom he crosses swords.

In the elections that November, I edged out Jimmy Fitzmorris after enduring Hurricane Betsy, an appendectomy and Jim Garrison. The DA won a huge victory over Criminal Court

Once an elected official gives credecne

Judge Malcolm O'Hara.

The only other time that Garrison and I found ourselves at cross-purposes was in the trial of Clay Shaw. I had known Clay for many years in his role as managing director of the International Trade Mart. I did not believe for a minute that he had anything to do with the murder of President Kennedy, although I did not believe the Warren Report had gotten the whole truth of the assassination. I have always believed there was a conspiracy.

Some of my friends urged me to make a statement defending Clay. I considered the idea and decided that would be improper for me to do so. In the first place, it was a matter totally in the jurisdiction of the DA and wholly outside my area of legal responsibility. It would have been an intervention in a matter that was outside my control for me to get involved. Beyond that, any action by me could only muddy the waters, making the case a controversy of local politics.

FINALLY, I BELIEVE in the American system of justice and its ability to do right. One of the blessings of our democracy is that we have the privilege of facing a jury of fellow citizens and reply to any charges brought against us. The case was resolved as it should have been—in the courts.

It was a good jury made up of a cross-section of New Orleanians, the kind of people I have worked with for many, many years. I have always had faith in their judgments.

What of Jim Garrison in the 1970s? In my opinion, he remains one of the most formidable political figures in the state. In fact, if his health permitted, I believe he would be a very tough and capable candidate in a statewide race. Health is the major unknown factor in Jim's future. He has been troubled by a back infection for some time now. In addition, the Clay Shaw case cost him some of his support among middle-and-upper-income voters in his last campaign although he handily won re-election in the 1969 first primary.

Garrison's strength today is his ability to put together a coalition of black voters and lower-income white voters. Jim is one of the few figures in politics today who can bring together these two groups which are usually at political odds. It will be interesting to see, if his health permits him to run for office again, if he can keep this coalition together and recapture some of the voters he appeared in 1969 to have lost.

Regardless of what the future holds, Jim Garrison in the 1960s was a colorful, dramatic and always-controversial figure in New Orleans. I suspect that in years to come, historians will find him one of the more interesting people of his time.



Garrison (left) and Clay Shaw: The Lone Defeat.

(Mount Clipping in Space Below)

2 New Briefs Are Filed by Shaw, Garrison

A federal judge here today took under advisement two new briefs in the continuing legal battle between District Attorney Jim Garrison and Clay L. Shaw, but gave no indication when he may rule if Garrison can try Shaw for perjury.

Shaw has asked U.S. District Judge Herbert W. Christenberry to enjoin Garrison from prosecuting him on a perjury charge in connection with the assassination of John F. Kennedy.

Shaw was acquitted in 1969 of conspiracy to kill Kennedy. The perjury charge grew out of Shaw's testimony in that trial when he denied knowing accused presidential assassin Lee Harvey Oswald or David Ferrie. Garrison had charged that Shaw conspired with Oswald and Ferrie to kill Kennedy.

THE LATEST briefs, one by each side, offer no new developments. Garrison continues to deny malice toward Shaw and Shaw renews his charge that Garrison is persecuting him.

Judge Christenberry issued a temporary injunction Jan. 18 blocking prosecution of Shaw on the perjury charge. On Jan. 27, after hearing three days of testimony, he continued the ban for 45 days, allowing attorneys for both sides that long to file briefs.

Garrison's latest brief says Shaw has failed to show "malice or bad faith" by the district attorney.

"To the contrary," Garrison said, "defendant (Garrison) categorically and forthrightly stated under oath as a witness called by the plaintiff (Shaw), that he would 'rather the plaintiff be acquitted than for any of his constitutional rights to be violated' and denied any malice toward plaintiff."

GARRISON SAID Shaw charges there was a conspiracy among the DA and his prime contributors to his investigative fund, "yet no such situation was even remotely established by the plaintiff."

In his reply to the Garrison brief, Shaw said the memorandum "is quite perfunctory, is couched in very general conclusionary terms and, except for an avowal of good faith on the part of the defendant, fails to respond to any of the issues of fact which have been submitted for the court's determination."

Shaw's brief says he fears further prosecution, even if he were tried and acquitted of the perjury charge.

"It is asserted by the defendant," Shaw charged, "that if plaintiff were acquitted by the jury plaintiff could not and would not be subject to another charge of perjury. No mention is made of the possibility the defendant in his continuing harassment of the plaintiff . . . will probably file other charges, not necessarily a charge of perjury, against the plaintiff."

(Indicate page, name of newspaper, city and state.)

PAGE 4

THE STATES-ITEM

NEW ORLEANS, LA.

Date: 3-29-71
Edition: COMET
Author:
Editor: WALTER G. COWAN
Title: ASSASSINATION OF PRESIDENT, JOHN F. KENNEDY, TEXAS
Character: 11/22/63
or
Classification: 89-69A
Submitting Office: N.O., La.

☐ Being Investigated

Assistant Attorney General
Civil Division

March 26, 1971

Director, FBI

REC-3 62-109416-7006

MARINA N. OSWALD PORTER, ET AL v.
UNITED STATES - USDC ND TEXAS,
CIVIL ACTION NO. CA-3-4247-C

Your letter of March 22, 1971, your reference LPG, III: Goldbloom:rnk, 78-73-149, stated this case is assigned to Irwin Goldbloom, who would appreciate an opportunity of conferring with an Agent to develop facts for use in the defense of this action.

Mr. Goldbloom should contact Special Agent Carl A. Harris of our Identification Division. Special Agent Harris is located in Room 6125, Federal Office Building Number One, Second and D Streets, Southwest. He can be reached by telephone on Government Code 175, extension 2518.

It is not known which items are in litigation. However, all paper items were subjected to a test for latent fingerprints utilizing a silver nitrate solution. This test does cause a discoloration which becomes more pronounced as time passes.

It may be possible, even at this time, to remove the stains or to improve the general appearance of the items in question.

MAILED 12
MAR 25 1971
FBI

CAH:jds/ksw
(6)

53 APR 13 1971

APR 7 1971

MAIL ROOM ☐ TELETYPE UNIT ☐

ENCLOSURE

UNITED STATES GOVERNMENT

Memorandum

DEPARTMENT OF JUSTICE

TO : Mr. J. Edgar Hoover
Director, Federal Bureau of Investigation

DATE: MAR 22 1971

8-1½

LPG,III:Goldbloom:rnk
78-73-149

FROM : L. Patrick Gray, III
Assistant Attorney General, Civil Division

SUBJECT: Marina N. Oswald Porter, et al v. United States - USDC ND Texas, Civil Action No. CA-3-4247-C

Mr. Tolson
Mr. Sullivan
Mr. Mohr
Mr. Bishop
Mr. Brennan CD
Mr. Callahan
Mr. Casper
Mr. Conrad
Mr. Dalbey
Mr. Felt
Mr. Gale
Mr. Rosen
Mr. Tavel
Mr. Walters
Mr. Soyars
Tele. Room
Miss Holmes
Miss Gandy

The above action is a claim brought under the Federal Tort Claims Act for alleged loss or damage to personal property of Lee Harvey Oswald while such property was in the possession and control of the Federal Bureau of Investigation. As you know, this Department rejected the administrative claim presented to the Bureau by letter of July 17, 1970, a copy of which was forwarded to your office. Thereafter, the above suit was brought under the Tort Claims Act and a pretrial conference was conducted by the court on March 17, 1971.

The facts surrounding the institution of this suit are as follows:

Following the submission of the Warren Commission Report in 1964, Congress deemed it advisable that the Government permanently retain possession of certain of the items of evidence considered by the Warren Commission in its investigation of the assassination of President Kennedy. In November 1965, Public Law 89-318 was enacted to establish authority for the preservation of evidence used by the Warren Commission. Section 2 of the Act authorized the Attorney General to designate which of the items of evidence were to be retained and provided that, upon publication of his determination in the Federal Register, title to such items would vest in the United States. The Attorney General's determination was published in the Federal Register on November 1, 1966. 31 F.R. 13968 et seq. Section 3 of Public Law 89-318 vested the Court of Claims and the Federal District Courts with jurisdiction to hear, determine, and

REC 3 12-10[illegible]-[illegible]
EX-112
MAR 23 1971
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ENCLOSURE

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3-26-71
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render judgment upon any claim for just compensation for any item acquired by the United States pursuant to the Act.

A timely suit was filed by the widow of Lee Harvey Oswald, Marina N. Oswald Porter, in the Federal District Court for the Northern District of Texas to recover just compensation for the value of certain personal property which belonged to Lee Harvey Oswald and/or Marina Oswald. That suit, Marina N. Oswald Porter, et al v. United States of America, Civil Action No. 3-2282, N.D. Texas. has already been tried and is awaiting decision by the District Judge.

The evidence in that case was presented to a Master in Chancery who was appointed by the District Court. A hearing was conducted in Washington, D.C. on January 27 and 28, 1969, and additional proceedings were thereafter conducted in Dallas, Texas. At the time of the hearing the items of property were examined at the Archives by the Master in Chancery, the expert witnesses for both Mrs. Oswald and the United States, and the attorneys for the respective parties.

Examination of the property disclosed that many of the items, documentary in nature, had been treated with some chemical process which resulted in a staining or discoloration of the documents. At that time we were informed by personnel at the Archives that these items were in that condition when received from the FBI Laboratory, and that such staining had occurred through the investigative analysis performed on the documents to determine whether any hidden messages or codes were present in the documents. Accordingly, the Government presented evidence as to the value of the documents on the date of taking, November 1, 1966, and urged that the value be determined as of that date based upon the documents in a stained and discolored condition. The difference in value, according to the Government's witness, between the documents in their stained condition as against their original condition was approximately $60,000. The Government's witness testified that the present value of the property involved amounted to approximately $10,500, and that if all the property were in good collector's condition it would be valued at approximately $70,000.

At the trial and thereafter, the Government asserted that any staining resulting from investigative examination was proper investigative technique in light of the circumstances regarding the crime involved and information otherwise available as to Oswald and therefore the chemical treatment did not amount to a "taking" of the property under settled principles of law which preclude recovery for damage to property resulting from the lawful exercise of the sovereign's police power. See Y.M.C.A. v. United States, 395 U.S. 85; United States v. Caltex, Inc., 344 U.S. 149; United States ex rel T.V.A. v. Powelson, 319 U.S. 266, 284; Hamilton v. Kentucky Utilities Co., 251 U.S. 146, 154-157; Juragua Iron Co. v. United States, 212 U.S. 297. We also urged upon the court that such damage did not amount to any negligence.

Without issuing an opinion discussing its reasons, the court entered a preliminary order instructing the Master to value the property as urged by the Government, i.e., in its condition as of November 1, 1966. The Government has raised a number of other defenses in the just compensation action which have not as yet been resolved by the court and are not relevant to the issues involved in this memorandum.

As a result of the court's preliminary ruling, plaintiff asserted this claim under the Federal Tort Claims Act for the alleged damage to the property. An Answer has been filed, a copy of which is enclosed, asserting all of the relevant defenses to this claim.

It will now be necessary to develop the facts for use in defense of the tort suit. This case is assigned to Irwin Goldbloom of this Division, and we would appreciate an opportunity to confer with one of your agents to develop the facts for use in the defense of this action.

At the pretrial conference before the court on March 17, 1971, it was agreed that the Government would file a motion together with affidavits relating to the legal defenses asserted by the Government in this case. Accordingly, the basic thrust of our affidavits will be the nature of the treatment of the documents involved and the propriety of the techniques used in light of the circumstances of this case.

We appreciate your cooperation in this matter.

Enclosure

Plaintiffs,

vs. : Civil Action No. CA-3-4247-C

UNITED STATES OF AMERICA,

Defendant.

ANSWER

First Defense

The complaint fails to state a claim upon which relief can be granted.

Second Defense

The Court lacks subject matter jurisdiction over this action.

Third Defense

This action is time-barred by the statute of limitations.

Fourth Defense

This action is barred by 28 U.S.C. §§ 2680(a), 2680(c).

Fifth Defense

Elements of this claim may be barred by 28 U.S.C. § 2680(h).

Sixth Defense

In answer to the numbered paragraphs of the complaint, defendant hereby admits, denies, and alleges as follows:

1. Defendant denies the allegations set forth in the first paragraph of the complaint, except to admit that plaintiff seeks money damages in this action.

2. Defendant denies the allegations set forth in paragraph two of the complaint for lack of information or knowledge sufficient to form a belief as to their truthfulness.

3. The statement set forth in paragraph three of the complaint is a conclusion of law and not an allegation of fact requiring answer; however, to the extent that an answer may be deemed to be required, defendant denies this allegation.

4. Defendant denies the allegations set forth in paragraph four of the complaint for lack of information or knowledge sufficient to form a belief as to their truthfulness, except that defendant admits that Exhibit A is a true copy of a notice appearing at 31 Federal Register, No. 212, Tuesday, November 1, 1966.

5. The statement set forth in paragraph five of the complaint is a conclusion of law and not an allegation of fact requiring answer, and defendant respectfully refers the Court to the cited provision in the Federal Register for its terms and conditions.

6. Defendant denies the allegations set forth in paragraph six of the complaint, except that defendant admits that certain items of property described in Exhibit A were subjected to investigative examination by law enforcement officers carrying out their responsibilities.

7. Defendant denies the allegations set forth in the first sentence of paragraph seven of the complaint, except to admit that the property listed in Exhibit A to the complaint has been in the custody, possession and control of the Government since on or about November 22, 1963. Defendant denies the allegations set forth in the second sentence of paragraph seven of the complaint.

8. Defendant admits the allegations set forth in paragraph eight of the complaint.

9. Defendant denies the allegations set forth in the first three sentences of paragraph nine of the complaint, except to admit that there is pending in this Court a civil action styled Marina N. Oswald Porter, et al., plaintiffs, v. United States of America, defendant, Civil Action No. 3-2282, of which this Court can take judicial notice, and the Court is respectfully referred to the record in that case for the contents thereof. Defendant denies the allegations set forth in the fourth sentence of paragraph nine of the complaint and further denies that the plaintiff has been damaged in any amount. The fifth sentence of paragraph nine of the complaint does not set forth any allegations of fact to which answer is required.

10. Defendant denies the allegations set forth in the first sentence of paragraph ten of the complaint, except to admit the pendency of Civil Action No. 3-2282 in this Court, and the Court is respectfully referred to the record in that case for the various rulings of

the Court. The second sentence of paragraph ten of the complaint does not contain any allegations of fact requiring answer. Defendant denies the allegations set forth in the third sentence of paragraph ten of the complaint, and further denies that plaintiffs are entitled to relief under any circumstances whatsoever.

All allegations not hereinbefore expressly admitted, denied or qualified are hereby denied.

WHEREFORE, having fully answered, the defendant prays:

1. That the relief requested by the plaintiffs be denied and that the complaint be dismissed; and

2. That the defendant be given all such other and further relief as the Court may deem just and proper.

Respectfully submitted,

L. PATRICK GRAY, III
Assistant Attorney General

ELDON B. MAHON
United States Attorney

HARLAND F. LEATHERS

KENNETH J. MICHEEL
Assistant United States Attorney

IRWIN GOLDBLOOM

DAVID J. ANDERSON

Attorneys, Department of Justice
Attorneys for Defendant

FBI

Date: 4/14/71

Transmit the following in _____ (Type in plaintext or code)

Via AIRTEL _____ (Priority)

TO: DIRECTOR, FBI (62-109060)

FROM: SAC, NEWARK (62-3060) (P)

SUBJECT: ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY,
DALLAS, TEXAS
11/22/63
(OO:DALLAS)

Re Newark airtel to the Bureau dated 3/11/71.

On 4/14/71, AUSA ROGER S. STEFFENS, Trenton, N.J., advised that he had filed a motion in Federal Court to dismiss the complaint of EMERY L. BROWN, JR. or for a Summary Judgment. He said arguments on this motion would be heard May 3, 1971. He said he would advise of the court's decision.

REC-22 62-109060-7007

18 APR 16 1971

(2) - Bureau
1 - Dallas (89-43)
2 - Newark

RLC/djd
(5)

62 F219 APR 20 1971

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

APR 8 1971

Mr. Mohr
Mr. Bishop
Mr. Brennan CD
Mr. Callahan
Mr. Casper
Mr. Conrad
Mr. Felt
Mr. Gale
Mr. Rosen
Mr. Sullivan
Mr. Tavel
Mr. Walters
Mr. Soyars
Tele. Room
Miss Holmes
Miss Gandy

United States Attorney
Newark, New Jersey

April 5, 1971

LPG:JP:axcl
145-17-

L. Patrick Gray, III
Assistant Attorney General, Civil Division
By: Harland F. Leathers, Chief
General Litigation Section

Henry L. Baran, Jr. v. Mitchell, et al.,
U.S.D.C. D. N.J., Civil Action No. 44-71

Enclosed are originals and three copies of an affidavit executed by FBI Special Agent Henry A. Schutz, Jr. For the reasons given below, we suggest that you file a motion to dismiss or, in the alternative, for summary judgment pursuant to Rules 12(b)(1), (6) and 56 of the Federal Rules of Civil Procedure, supported by Mr. Schutz' affidavit, before our time to respond to the complaint as extended runs. This will obviate the necessity of filing an answer in these proceedings. Rule 12(a), Federal Rules of Civil Procedure.

Plaintiff brings this suit pursuant to the Information Act, 5 U.S.C. 552. (Complaint II, par. 1.) As is shown below, the action must be dismissed or summary judgment granted for defendants because the statute upon which plaintiff relies, 5 U.S.C. 552, conveys no right to obtain the information plaintiff seeks: Plaintiff has not requested any "identifiable records" as is made a precondition of exercise of jurisdiction by federal courts, and, in any event, all the information plaintiff seeks comes within the exclusion from the provisions of 5 U.S.C. 552 set forth at 5 U.S.C. 552(b)(7), exempting "investigatory files compiled for law enforcement purposes except to the extent available by law to a party other than an agency." 1/

EX-114 REC-3 62-109060-7008

1/ Of course the mandamus statute also cited by plaintiff, Complaint II, par. 2, set forth at 28 U.S.C. 1361, does not aid plaintiff [illegible] where it would be relevant only where plaintiff can show that same statutory right has been denied him: see [illegible] 8 F.R.D. 131, 290 F. Supp. 113 (S.D. Ga. 1968), the cases cited in Green v. Culotta, and Carter v. Seamans, 411 F.2d 767, 773 (5th Cir. 1969).

Enclosure

8 APR 20 1971

51 APR 26 1971

Mr. Schultz' affidavit sets forth these relevant facts:

> While the FBI maintains an extensive and detailed indexing system permitting material in its files and records to be located, a search of our indexing systems failed to identify certain of the information requested by plaintiff. However, since plaintiff's demands are based on material originating in the files and records of other law enforcement agencies (principally the Dallas Police Department), to insure that our files do not contain the demanded information in any form would necessitate a detailed, page by page search of a substantial portion of the 384 volumes of this file. [Schultz' affidavit, par. 3]

Section 552(a)(3) of 5 U.S.C. provides:

> * * * each agency, on request for identifiable records made in accordance with published rules stating the time, place, fees to the extent authorized by statute, and procedure to be followed, shall make the records promptly available to any person. On complaint, the district court of the United States in the district in which the complainant resides, or has his principal place of business, or in which the agency records are situated, has jurisdiction to enjoin the agency from withholding agency records and to order the production of any agency records improperly withheld from the complainant. * * *

The statutory language thus limits the material to be made available to "identifiable records" and grants the Court jurisdiction only to enjoin the agency with respect to agency records improperly withheld from the complainant. 5 U.S.C. 552 thus does not require agencies to produce information or to alter records so that they may become available or to compile information not contained in identifiable records. Tuchinsky v. Selective Service System, 418 F.2d 155 (7th Cir. 1969). This holding confirms what is evident in the light of the legislative history discussed in the Attorney General's Memorandum on the Public Information Section of the Administrative Procedure Act at pp. 23-24, which points out that 5 U.S.C. 552(a)(3)

> "refers of course, only to records in being and in the possession or control of an agency. The requirement of this subsection imposes no obligation to compile or procure a record in response to a request. This is evidenced by the fact that the term 'information' in the bill, as introduced, was changed by the Senate to 'identifiable records' and by the legislative history of that change. (S. Rept., 89th Cong., 2.)"

As in Tuchinsky v. Selective Service System, 418 F.2d 155 (7th Cir. 1969), it would be "an unreasonable burden" not contemplated by the identifiable record requirement set forth in 5 U.S.C. 552(a)(3) to require a Government agency to compile information for members of the public such as the information sought by plaintiff. The requirement that plaintiff seek "identifiable records" stands as a barrier to plaintiff's use of judicial proceedings to obtain such information. Tuchinsky v. Selective Service System, supra. The file referred to at the present time "consists of 384 volumes containing 12,659 serials. Some of these 'serials', each of which is a separate document, are over 1400 pages in length." (Schultz' affidavit, Par. 2). Thus, it is manifest that the action should be dismissed since plaintiff has not requested any "identifiable records," 5 U.S.C. 552(a)(3).

In any event, the information plaintiff seeks is clearly exempt from disclosure since it could only be part of "investigatory files compiled for law enforcement purposes" not available by law to a party other than an agency and therefore within the exclusion set forth at 5 U.S.C. 552(b)(7). Indeed Mr. Schultz' affidavit details at great length in paragraph 4, 5 and 6, the grave injury which would be done to the FBI's investigative processes and to the security of the President if the file compiled in connection with the assassination of President Kennedy were made available.

The whole thrust of the exemption is to protect from disclosure all files which the Government compiles in the course of law enforcement investigations which may or may not lead to formal proceedings. As the Court held in Barceloneta Shoe Corp. v. Compton, 271 F. Supp. 591, 592-593 (D. P.R. 1967):

> In general terms I agree with the Attorney General's analysis of the nature and scope

of the exemption, in his Memorandum on the Public Information Section of the Administrative Procedure Act, dated June 1967, wherein he states at p. 38:

> 'The effect of the language in exemption (7), on the other hand, seems to be to confirm the availability to litigants of documents from investigatory files to the extent to which Congress and the courts have made them available to such litigants. For example, litigants who meet the burdens of the Jencks statute (18 U.S.C. 3500) may obtain prior statements given to an FBI agent or an SEC investigatory by a witness who is testifying in a pending case; but since such statements might contain information unfairly damaging to the litigant or other persons, the new law, like the Jencks statute, does not permit the statement to be made available to the public. In addition, the House report makes clear that litigants are not to obtain special benefits from this provision, stating that 'S. 1160 is not intended to give a private party indirectly any earlier or greater access to investigatory files than he would have directly in such litigation or proceedings.' (H.Rept. 11).'

As I suggested before, Congress could not have intended to grant lesser rights of inspection and copying of witnesses' statements to persons who are faced with the deprivation of their life or liberty, than to persons faced only with remedial administrative orders under regulatory statutes.

Accord: Bristol-Myers Co. v. FTC, 424 F.2d 935, 939 (D.C. Cir. 1970), cert. denied 39 L.W. 3147.

To like effect is the Court's decision in Clement Brothers Co. v. NLRB, 282 F. Supp. 540, 542 (N.D. Ga. 1968), with which the Fifth Circuit has stated it "fully concurs," NLRB v. Clement Brothers Co., 407 F.2d 1027, 1031 (5th Cir. 1969):

> Though the Court does not feel that it is necessary to reiterate an exhaustive documentation of the Act's legislative history, the following statement is exemplary of numerous others which make it clear that the plaintiff's interpretation must be rejected:
>
> > 'This exemption covers investigatory files related to enforcement of all kinds of laws, labor and securities laws as well as criminal laws. This would include files prepared in connection with related Government litigation and adjudicative proceedings. H.R. Report # 1497, 89th Cong., 2nd Sess., p. 11.'
>
> In sum, it is clear that the plaintiff could obtain the employees' statements taken by the Board if the employees had been called to testify-- in fact, the plaintiff was given access to the statements of the employees who did so testify. However, the plaintiff is not entitled to employee statements absent such use.

Since, the records plaintiff seeks have not been made part of the record in agency proceedings, plaintiff may not obtain them "absent such use." 2/ Accord: Benson v. United States, 332 F. Supp. 1134 (D. Neb. 1971). Thus, by enactment of 5 U.S.C. 552(b)(7) "[t]he public policy in favor of maintaining the

---

2/ Insofar as dictum in Cooney v. Un Shipbuilding & Drydock Co., 288 F. Supp. 703 (E.D. Pa. 1968), which involved subpoena proceedings, not a suit pursuant to 5 U.S.C. 552, is to the contrary, it is plainly wrong for the reasons stated above.

secrecy of FBI investigative reports has been recognized by Congress." Black v. Sheraton Corp. of America, 50 F.R.D. 139, 132 (D. D.C. 1970).

In summary, common sense, the wording of 5 U.S.C. 552, its legislative history, and the decided cases are in accord that plaintiff may not obtain the relief he seeks in these proceedings.

Please send us copies of all papers filed and keep us informed of all developments.

Enclosures

cc: Mr. J. Edgar Hoover
Director
Federal Bureau of Investigation

2/ (continued) It is significant that the language Congress chose, "compiled for law enforcement purposes" was criticized at hearings on the proposed legislation as unduly restrictive. 89th Cong., 1st Session, Hearings on H.R. 5012 before the House Committee on Government Operations, pp. 245-247.- Notwithstanding this criticism Congress enacted exemption 7 as referred to above because it thought the broad protection against disclosure contained therein necessary to effective operation of the agencies which compile investigation reports. In any event, the records plaintiff seeks are presently maintained by the Federal Bureau of Investigation "in a 'pending' or open status." (Schultz' affidavit, Par. 4).

FBI

Date: 5/10/71

Transmit the following in _____ (Type in plaintext or code)

Via AIRTEL _____ (Priority)

TO: DIRECTOR, FBI (62-109060)

FROM: SAC, NEWARK (62-3060) (P)

SUBJECT: ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY,
DALLAS, TEXAS,
11/22/63
(OO:DALLAS)

RE: Newark airtel to the Bureau, 4/14/71.

On 5/10/71, AUSA ROGER S. STEFFENS, Trenton, N.J., advised that the arguments on a dismissal motion in the case concerning EMORY L. BROWN, JR., in Federal Court, had been postponed until 6/7/71.

62-109060-7009

REC-92

MAY 11 1971

2-Bureau
1-Dallas (89-43)
2-Newark
RCL:mmw
(5)

Approved: _____ Sent _____ M Per _____

Special Agent in Charge

U. S. GOVERNMENT PRINTING OFFICE 1971—413-135

UNITED STATES GOVERNMENT

Memorandum

Tolson
Sullivan
Mohr
Bishop
Wannall, C.D.
Callahan
Casper
Conrad
Dalbey
Felt
Gale
Rosen
Tavel
Walters
Soyars
Tele. Room
Holmes
Gandy

TO : Mr. Tolson

DATE: April 26, 1971

FROM : D. J. Dalbey

SUBJECT: FREEDOM OF INFORMATION ACT REQUEST FROM JERRY FINES SPECIAL ASSISTANT TO THE DEPUTY ATTORNEY GENERAL APRIL 26, 1971

At 12:10 p.m. today, Mr. Fines telephonically requested the Office of Legal Counsel to assist him in obtaining a copy of a communication previously sent to the Deputy Attorney General. He explained that he is working on a matter concerning the Freedom of Information Act for the Deputy Attorney General and that he was in possession of a memorandum from the Director to the Deputy Attorney General captioned "Freedom of Information Act, Request of Paul L. Hoch," dated January 4, 1971. That memorandum referred to a previous memorandum dated October 1, 1970, which concerned the five year review of Warren Commission files. According to Manual of Rules and Regulations, Part II, Section 8, page 18c, matters concerning this Act must be brought to the attention of the Crime Records Division.

Mr. Fines said that he has been unable to locate the October 1, 1970, memorandum in the Department and he requested our assistance in furnishing him a copy of this communication.

RECOMMENDATION:

That the Crime Records Division identify the October 1, 1970, memorandum referred to by Mr. Fines and send him a copy as requested. It should be noted that Mr. Fines indicated that his telephone extension is 3713 in the Department. His room number is 4213.

1 - Mr. Mohr
1 - Mr. Bishop
1 - Mr. Callahan
1 - Mr. Tavel
JAM:cfp
(6)

Handled with Fines 4-27-71 TTN

7 APR 29 1971

CRIME RESEARCH

70 MAY 7 1971

NOT RECORDED
MAY 3

ORIGINAL FILED IN

GSA GEN. REG. NO. 27

UNITED STATES GOVERNMENT

Memorandum

1 - Mr. J. I. Mohr
1 - Mr. W. C. Sullivan
1 - Mr. T. E. Bishop
1 - Mr. C. D. Brennan

Tolson
Sullivan
Mohr
Bishop
Brennan, C.D.
Callahan
Casper
Conrad
Dalbey
Felt
Gale
Rosen
Tavel
Walters
Soyars
Tele. Room
Holmes
Gandy

TO : Mr. C. D. Brennan

DATE: May 6, 1971

1 - Mr. W. A. Branigan
1 - Mr. L. Whitson

FROM : Mr. W. A. Branigan

SUBJECT: ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY
NOVEMBER 22, 1963,
DALLAS, TEXAS

Former Special Agent Nate Ferris informed Special Agent L. Whitson on 5/3/71 that he had heard that the woman journalist, Sarah McClendon, plans to write a feature story on [redacted], a former State Department employee who recently committed suicide. According to Mrs. McClendon's daughter who lives next door to the Ferrises, Sarah McClendon is going to do the article because [redacted], former Political Officer of U. S. Embassy in Mexico, knew so much about the "Oswald case."

Mr. Ferris pointed out that when he was Legal Attache in Mexico, a Mrs. Garro de Paz, a Mexican woman, was interviewed by Bureau Agents in Mexico City in 1964 regarding her allegations that she had seen an American at a party in Mexico City who resembled Oswald. Investigation located a person whom Mrs. Garro de Paz said had also been at the party. He recalled the party and stated there were no Americans there and from information developed it appeared the party took place before Oswald ever went to Mexico City. In December, 1965, [redacted] the Political Officer at the Embassy, heard Mrs. Garro de Paz's story for the first time and furnished the information to the Legal Attache and to the Central Intelligence Agency (CIA) representative in Mexico City.

[redacted] was apparently disappointed that the Bureau did not attach as much significance to the woman's allegations as he did and upon his retirement from the Department of State in 1969, he forwarded to the Secretary of State documents regarding the allegations of Elena Garro de Paz, which he considered would damage the credibility of the Warren Commission Report. In his communication to the Department of State, [redacted] noted that a representative of a major American publication had some knowledge of the story. He did not identify this person.

REC-7 7010

The Assistant Attorney General, Internal Security Division, and the Acting Chief, Division of Protective Security, Department of State, were furnished the results of the Bureau's 1964 investigation of the allegations of Mrs. Elena Garro de Paz.

62-109060
LW:as
62 MAY 20 1971

LA-112

25 MAY 12 1971

MAY 13 1971

CONTINUED - OVER

PERS. REC. UNIT

Memorandum to Mr. C. D. Brennan
RE: ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY
NOVEMBER 22, 1963
DALLAS, TEXAS
62-109060

ACTION:

For information and for the assistance of Crime Records, should Mrs. McClendon contact Bureau in connection with the reported story.

Bishop
Bresman, C.D.
Callahan
Casper
Conrad
Dalbey
Felt
Gale
Rosen
Tavel
Walters
Soyars
Tele. Room
Holmes
Gandy

UPI-90
(SURVEILLANCE)
WASHINGTON --THE NIXON ADMINISTRATION'S INTERNAL SECURITY CHIEF SUGGESTED TODAY IN YET ANOTHER DEFENSE OF SURVEILLANCE THAT THE ASSASSINATION OF THE KENNEDY BROTHERS AND THE KENT STATE STUDENT SHOOTINGS MIGHT HAVE BEEN AVOIDED BY BETTER GOVERNMENT INTELLIGENCE.
ASSISTANT ATTORNEY GENERAL ROBERT C. MARDIAN OFFERED THESE INCIDENTS IN A NEW DEFENSE OF THE GOVERNMENT'S RIGHT TO GATHER INTELLIGENCE AND ITS RESPONSIBILITY TO INSURE THE RIGHT OF ALL INDIVIDUALS TO PEACEABLY ASSEMBLE AND EXERCISE THEIR FIRST AMENDMENT " RIGHTS OF FREE SPEECH.
"RECENT TRAGIC EVENTS IN THE LIFE OF OUR NATION AND THE ENSUING INVESTIGATION INTO THE CAUSES OF SUCH INCIDENTS AND WAYS TO PREVENT THEIR RE-OCCURRENCE POINT TO THE ROLE OF GOVERNMENT IN INTELLIGENCE-GATHERING AS AN OBLIGATION RATHER THAN A RIGHT, OR PRIVILEGE," HE SAID.
MARDIAN DELIVERED A LAW DAY SPEECH TO THE FEDERAL BAR ASSOCIATION TITLED "THE GOVERNMENT'S INTELLIGENCE FUNCTION -- A RIGHT OR OBLIGATION?"
HE QUOTED THE WARREN COMMISSION REPORT ON THE ASSASSINATION OF PRESIDENT JOHN KENNEDY IN DALLAS NOV. 22, 1963, WHICH SAID: "THE COMMISSION BELIEVES ... THAT THE FBI TOOK AN UNDULY RESTRICTIVE VIEW OF ITS RESPONSIBILITIES IN PREVENTIVE INTELLIGENCE WORK PRIOR TO THE ASSASSINATION."

NOT RECORDED
191 MAY 12 1971

4 MAY 11 1971

WASHINGTON CAPITAL NEWS SERVICE

ORIGINAL FILED IN

IF, AS THE COMMISSION SUGGESTED, THE BEHAVIOR PATTERNS OF INDIVIDUALS TOWARD GOVERNMENT MAY INDICATE THEIR PROPENSITY FOR VIOLENCE AGAINST ITS LEADER, MARDIAN ASKED, "HOW CAN WE BE AWARE OF SUCH INDIVIDUALS WITHOUT ACCURATE DETAILED INFORMATION?"

"ARE WE NOT OBLIGATED," HE SAID, "TO TAKE EVERY MEASURE TO SEE TO IT THAT A TRAGEDY OF THE MAGNITUDE OF A PRESIDENTIAL ASSASSINATION DOES NOT RE-OCCUR?"

TURNING TO THE ASSASSINATION OF THE PRESIDENT'S BROTHER, SEN. ROBERT F. KENNEDY, FIVE YEARS LATER, FOLLOWING A POLITICAL RALLY, MARDIAN SAID HE THOUGHT IT FAIR TO POSE THE QUESTION IN THE LIGHT OF RECENT ACCUSATIONS AGAINST THE FBI.

"HAD THE ASSASSINATION NOT OCCURRED, AND THE PRESENCE OF THE FBI BEEN PUBLICLY NOTED, WOULD IT NOT HAVE BEEN ACCUSED OF SURVEILLING A POLITICAL RALLY?" HE ASKED.

"BASED UPON THE RECENT REACTIONS OF SOME POLITICIANS AND POLITICAL COMMENTATORS, I CAN ONLY CONCLUDE THAT THE GOVERNMENT CAN NEVER BE RIGHT. IT IS DAMNED, IT SEEMS IF IT DOES AND DAMNED IF IT DOESN'T."

MARDIAN REFERRED TO CRITICISM THAT GOVERNMENT ENFORCEMENT AGENCIES SHOULD HAD KNOWN ABOUT THE PRESENCE OF SEN. KENNEDY'S ASSASSINS AT THE LOS ANGELES RALLY.

THE KILLING OF FOUR STUDENTS BY THE OHIO NATIONAL GUARD DURING DEMONSTRATIONS AT KENT STATE UNIVERSITY LAST MAY 4 "ALSO TEACHES SOME HARD LESSONS ABOUT THE NEED OF GOVERNMENT TO HAVE FULL AND ACCURATE INFORMATION," MARDIN CONTINUED.

"IT IS MY BELIEF THAT THE TRAGEDY AT KENT STATE WAS THE RESULT OF THE MEN (GUARDSMEN) NOT KNOWING INITIALLY WHAT TO EXPECT, AND THEN BUILDING EXPECTATION ON THE ONLY INFORMATION THAT HAD -- RUMOR," HE SAID.

"I CANNOT HELP BUT WONDER: WHAT WOULD HAVE HAPPENED, IF BECAUSE OF THOROUGH INFORMATION, LAW ENFORCEMENT PERSONNEL HAD KNOWN FROM THE BEGINNING WHO MIGHT BE A POTENTIAL DISRUPTER AND WHO MIGHT BE A POTENTIAL PEACE MAKER?" HE SAID.

4-27--NW106PED

I can't tell from the way Mardian fumbles which side of his mouth he is speaking from.

FBI

Date: 6/2/71

Transmit the following in _____ (Type in plaintext or code)

Via AIRTEL _____ (Priority)

TO: Director, FBI (62-109060)

FROM: SAC, New Orleans (89-69) (P)

ASSASSINATION OF PRESIDENT JOHN FITZGERALD KENNEDY, DALLAS, TEXAS, NOVEMBER 22, 1963
MISC. - INFORMATION CONCERNING
OO: Dallas

Enclosed for the Bureau are newspaper articles appearing in New Orleans papers concerning above-captioned matter.

One copy each of these newspaper articles is enclosed for Dallas and Miami.

(2) - Bureau (Enc. 4)
1 - Dallas (89-43) (Enc. 1 ENCLOSURE)
1 - Miami (Enc. 1)
1 - New Orleans
ECW:bs
(5)

REC-66 62-109060-7011

4 JUN 4 1971

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

56 JUN 15 1971

UNRECORDED COPY FILED IN 62-109060-7011



DISTRICT ATTORNEY
JIM GARRISON

FBI

Date: 6/8/71

Transmit the following in _____ (Type in plaintext or code)

Via AIRTEL _____ (Priority)

TO: DIRECTOR, FBI (62-109060)

FROM: SAC, NEWARK (62-3060)-RUC-

SUBJECT: ASSASSINATION OF PRESIDENT JOHN FITZGERALD KENNEDY, DALLAS, TEXAS, 11/22/63
(OO:DALLAS)

Re Newark airtel to the Bureau 5/10/71.

On 6/8/71, AUSA ROGER S. STEFFENS, Trenton, N.J., advised on 6/7/71, in Federal District Court, Trenton, N.J., the motion by the government to dismiss the action of [redacted] BROWN was granted and a summary judgment was entered in favor of the Attorney General and the Director.

REC-24

62-109060-7012

2-Bureau
1-Dallas (89-43)
1-Newark
RCL/bak
(4)

17 JUN 9 1971

53 JUN 21 1971

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

☆ U. S. GOVERNMENT PRINTING OFFICE: 1971 O-413-138

6/4/71

AIRTEL

TO: Director, FBI (62-109060)

FROM: SAC, New Orleans (89-69) (P)

ASSASSINATION OF PRESIDENT JOHN FITZGERALD KENNEDY, DALLAS, TEXAS, NOVEMBER 22, 1963
MISC. - INFO CONCERNING
OO: Dallas

Enclosed for the Bureau are newspaper articles appearing in New Orleans papers concerning above-captioned matter.

One copy each of these newspaper articles is enclosed for Dallas and Miami.

NOT RECORDED
12 JUN 10 1971

2 - Bureau (Enc. 10)
1 - Dallas (89-43)(Enc. 10)
1 - Miami (Enc. 10)
1 - New Orleans
ECW:bs
(5)

F321
59 JUN 14 1971

CONTINUED OVER

FBI

Date: 6/10/71

Transmit the following in _____ (Type in plaintext or code)

Via AIRTEL _____ (Priority)

Mr. Sullivan
Mr. Mohr
Mr. Bishop
Mr. Brennan CD
Mr. Callahan
Mr. Casper
Mr. Conrad
Mr. Dalbey
Mr. Felt
Mr. Gale
Mr. Rosen
Mr. Tavel
Mr. Walters
Mr. Sy...s
Tele. Room
Miss H...
Miss Gandy

TO: Director, FBI (62-109060)

FROM: SAC, New Orleans (89-43) (P)

ASSASSINATION OF PRESIDENT JOHN FITZGERALD KENNEDY, DALLAS, TEXAS, NOVEMBER 22, 1963
MISC. - INFORMATION CONCERNING
OO: Dallas

Enclosed for the Bureau are newspaper articles appearing in the New Orleans States-Item concerning above-captioned matter.

One copy each of these newspaper articles is enclosed for Dallas and Miami.

2 - Bureau (Enc. 2)
1 - Dallas (89-43) (Enc. 2)
1 - Miami (Enc. 2)
1 - New Orleans
ECW:bs
(5)

EX-113

REC-28 62-109060-1013

25 JUN 12 1971

2 ENCLOSURE

Approved: _____ Sent _____ M Per _____

Special Agent in Charge

(Mount Clipping in Space Below)

Garrison Bids for Martyrdom

By JACK WARDLAW

The unpredictable political career of District Attorney Jim Garrison has taken a new turn with his vitriolic blast at a federal judge.

Federal District Judge Herbert W. Christenberry has declined to reply to Garrison's tirade of yesterday which seemed to be an open invitation to the judge to cite him for contempt.

With a governor's race in progress and Garrison reportedly ready to back an ultra-conservative candidate, the DA's actions took on the look of a bid for public martyrdom.

GARRISON BAITED the judge with a scathing personal attack, including reflections on his integrity, truthfulness and honesty. It came in a statement from the DA announcing his intention to appeal Judge Christenberry's ruling that he cannot press perjury charges against Clay L. Shaw. The charges stem from Garrison's probe of the assassination of President John F. Kennedy.

Attacks on the federal government are nothing new for Garrison, who has contended from the outset of his assassination probe that federal authorities have tried to block him at every turn.

But yesterday's blast at a federal judge placed him squarely in the tradition of Southern politicians such as Ross Barnett, George C. Wallace and Jimmie H. Davis, in defiance of federal courts during the desegregation turbulence of the early 1960s.

In choosing the path of defiance, he left himself open to fines and possible imprisonment had Judge Christenberry chosen to cite him for contempt. The judge's silence today indicated he is not taking the bait.

NOT SINCE THE heyday of Barnett has there come such a vehement denunciation of a federal jurist. It recalls Wallace's symbolic "stand in the schoolhouse door," at the University of Alabama, Barnett's attempt to circumvent court orders by declaring himself registrar of Ole Miss and Davis' attempts to seize the New Orleans public school system.

As far as results were concerned, all were exercises in futility. They did not even materially delay the desegregation of Alabama, Ole Miss or the New Orleans schools. But they made head lines and presumably political capital.

Even these results are mixed. Wallace remains master of his state but his national political ambitions have been thwarted, and he even had difficulty in his most recent Alabama campaign. Barnett suffered a humiliating defeat the next time he faced Mississippi voters after his Ole Miss crisis.

LOUISIANA voters may have a chance to pass judgment on Davis in November. He is expected to run for governor again. It will be recalled that as governor in 1960 he vowed he would go to jail before he saw any Negro go

(Indicate page, name of newspaper, city and state.)

FRONT PAGE

STATES-ITEM

NEW ORLEANS, L.

Date: 6/1/71
Edition: FLASH
Author: JACK WARDLAW
Editor: WALTER G. COVAN
Title: ASSINATION OF JOHN F. KENNEDY.

Character:
or
Classification: 89-69A*
Submitting Office:

☐ Being Investigated

JUN 8 1971

ENCLOSURE

to school with a white child in this state.

Davis never served a day in jail and racial integration is now commonplace in Louisiana schools.

Garrison in the past has played a different political game, and has never been rebuffed at the polls since he was elected DA in 1961.

HE WON his most recent election in 1969 with the massive support of black voters, and was for a time the darling of the far left, which was disinclined to believe that Kennedy was really killed by a Marxist, Lee Harvey Oswald.

The DA has not publicly indicated what role he plans to play in this year's governor's race, but reportedly he plans to ally himself with a candidate who has in the past opposed federal desegregation efforts. His current posture as a militant foe of federal authority could be tied in with this.

Maintaining black support while playing the role of a federal court-baiter would be a master political feat. Only a Garrison would even attempt it.

(Mount Clipping in Space Below)

Jurist Is Silent on DA's Blast

Federal Judge Herbert W. Christenberry today declined to comment on a challenge by District Attorney Jim Garrison on the jurist's recent order barring prosecution of Clay L. Shaw on a perjury charge.

Garrison's blast at Judge Christenberry was contained in a statement issued yesterday in which Garrison said ". . . this appointed federal employe has no business nor has he any just authority whatsoever to enjoin elected officials of the state of Louisiana from doing their duty."

In the most vitriolic paragraphs of Garrison's six-page statement, he said of the judge:

"I DO NOT pretend to know what personal gain this politically appointed federal employe had in mind in concocting these two gargantuan untruths, however, I do know that to any thinking individual they most certainly should discredit him as a judge of any integrity."

The two "untruths" to which he referred were comments by the judge that Garrison had a financial interest in the prosecution of Shaw and that the prosecution was carried through in bad faith.

Judge Christenberry Thursday enjoined Garrison from further prosecution of Shaw, whom Garrison charged with perjury after his acquittal on charges of conspiring to kill President John F. Kennedy.

Garrison yesterday announced his intention of appealing this decision. Such an appeal would normally go to the U.S. Fifth Circuit Court of Appeals, which is based here.

Ironically, it was a three-judge panel of the Fifth Circuit which ordered Christenberry to take up the Shaw case in the first place. On Jan. 18, he ruled in favor of Garrison in turning down Shaw's plea that the federal courts rule on Garrison's right to try him for perjury.

THE FIFTH CIRCUIT panel later ordered Judge Christenberry to hear the case, and his Thursday ruling was the result. Now, Garrison says he will take the matter back to the appeals court.

In his ruling, Judge Christenberry roasted Garrison's entire Kennedy investigation and his handling of the Shaw case. He called the probe baseless and accused the DA of trying to deprive Shaw of his constitutional rights.

Yesterday, Garrison replied in kind.

Here are the highlights of the DA's statement":

—"It is apparent that Judge Christenberry either did not hear the evidence which was presented before him or is laboring under the illusion that he is a judge of the state of Louisiana elected by the people of New Orleans rather than a political appointee employed by the federal goverment."

—". . . This appointed federal employe has no business nor has he any just authority whatsoever to enjoin elected offjcials of the state of Louisiana from doing their duty."

(Indicate page, name of newspaper, city and state.)

FRONT PAGE

STATES-ITEM

NEW ORLEANS, LA.

Date: 6/1/71
Edition: FLASH
Author:
Editor: WALTER G. COHAN
Title: ASSINATION OF JOHN F. KENNEDY.

Character:
or
Classification: 89-69A*
Submitting Office:

☐ Being Investigated

ENCLOSURE

JUN 8 1971

—Garrison denied the judge's charge that he had a financial interest in the case through sales of his book, "Heritage of Stone," and said the judge knew the statement was untrue when he made it.

—Citing Judge Christenberry's refences to his book, Garrison said the decision "had one redeeming feature . . . it established as a matter of legal record that he has read a book."

—He charged that the judge "departed from the truth" in drafting his opinion, and called his own handling of the Shaw case "a landmark in fairness in prosecution."

—. . . "It is one of the unfortunate results of a lifetime tenure as a judge . . . that he is free to disregard . . . the duty owed by an official to the people."

And Garrison concluded:

"In summary, this outrageous distortion of the facts and law, couched in the guise of a studied legal opinion and pasted together by a man who should know better, cannot be allowed to rest as it is. This office will appeal this illegal, biased and distorted opinion within the next few days, in hope that our case will find its way to judges who care about the truth and who are guided by the law."

Judge Christenberry had no response, nor did Shaw, who last week expressed delight at the ruling but expressed fear that Garrison might press the appeal.

Last Friday, Garrison said he was not surprised by the ruling and commented that "Judge Christenberry is one of the most experienced judges on the federal bench."

(Mount Clipping in Space Below)

DA to Appeal Shaw Case; Denounces Federal Judge

District Attorney Jim Garrison has announced plans to appeal a federal court decision blocking further prosecution of Clay L. Shaw and issued a scathing personal attack on the judge who handed down the decision.

"This office will appeal this illegal, biased and distorted opinion," Garrison said yesterday in a prepared six-page statement. He said the appeal will be filed "within the next few days, in the hope that our case will find its way to judges who care about the truth and who are guided by the law."

U.S. DISTRICT Judge Herbert W. Christenberry last week issued a permanent injunction against prosecution of perjury charges against Shaw, stemming from Shaw's testimony in the 1969 trial when he was acquitted of conspiring to assassinate President John F. Kennedy.

Judge Christenberry ruled the perjury charge was brought in bad faith and "such bad faith constitutes irreparable injury which is great and immediate."

The judge also ruled Garrison has an interest in continuing the prosecution of Shaw because of a book he has written on the assassination investigation and because he has a contract to write other books. Garrison denied his prosecution was in bad faith or for financial gain.

Judge Christenberry had no comment on Garrison's attack on the ruling.

Shaw, who had expressed delight at Judge Christenberry's ruling last week, refused comment on Garrison's plans to appeal.

GARRISON SAID Judge Christenberry "either did not hear the evidence which was presented before him or is laboring under the illusion that he is a judge of the state of Louisiana elected by the people of New Orleans rather than a political appointee employed by the federal government. His remarkable lack of knowledge of the facts of the case—which is the most striking portion of his opinion—is alone sufficient to disqualify him from ordering any elected Louisiana district attorney to avoid his duty and fail to prosecute where the facts and the law call for prosecution."

Regarding Judge Christenberry's declaration that he prosecuted Shaw in bad faith and for financial gain, Garrison said:

"This is my ninth year as district attorney and I have yet to prosecute any individual in bad faith nor have I permitted such a prosecution to occur.

"I do not pretend to know what personal gain this politically appointed federal employe has in mind in concocting these two gargantuan untruths, however, I do know that to any thinking individual they most certainly should discredit him as a judge of any integrity."

GARRISON SAID the judge's ruling had "but one redeeming feature." He said that was on several occasions when Judge Christenberry referred to Garrison's book, "Heritage of Stone."

"His references to several portions from it," Garrison said, "now having been incorporated into a formal opinion, establish as a matter of legal record that he has read a book. Other than that there is very little that any honest attorney can say in defense of this undistinguished opinion which represents the latest federal interference with regard to our prosecution of Clay Shaw."

The appeal is expected to be filed with the U.S. Fifth Circuit Court of Appeals here.

Garrison has accused the federal government of a massive plot to keep him from revealing what he sees as the truth about the Kennedy assassination.

GARRISON FILED the perjury charge two days after Shaw was acquitted Marc 1, 1969, of conspiracy. The jury deliberated less than an hour after a six-week trial before returning its unanimous verdict of innocent.

The DA charged Shaw lied when he testified at the conspiracy trial that he did not know Lee Harvey Oswald or David Ferrie, named by Garrison as co-conspirators.

Oswald was named by the Warren Commission as the sole Kennedy assassin. He was killed in Dallas two days after the assassination.

Ferrie died at the height of the Garrison probe in 1967.

(Indicate page, name of newspaper, city and state.)

PAGE 6

STATES-ITEM

NEW ORLEANS, LA.

Date: 6/1/71
Edition: COMET
Author:
Editor: WALTER G. COHAN
Title: ASSINATION OF JOHN F. KENNEDY.

Character:
or
Classification: 89-69A*
Submitting Office:

☐ Being Investigated

JUN 8 1971 ENCLOSURE 62-109060-1611

(Mount Clipping in Space Below)

SHAW CASE APPEAL IS PLEDGED BY D.A.

Garrison Says Federal Judge 'Falls Short'

New Orleans District Attorney Jim Garrison said Monday that his office will appeal a recent ruling handed down by Federal District Court Judge Herbert W. Christenberry barring prosecution of Clay L. Shaw on a perjury charge.

Garrison said the judge "has fallen short in his duty . . . in his distortion of the facts and the law."

In a statement issued Monday, Garrison said he had reviewed the judge's ruling and "it is apparent that Judge Christenberry either did not hear the evidence which was presented before him or is laboring under the illusion that he is a judge of the State of Louisiana elected by the people of New Orleans rather than a political appointee employed by the federal government."

Last week, Judge Christenberry issued a permanent injunction blocking the D.A. from prosecuting perjury charges that Garrison claimed stemmed from Shaw's testimony in the much-heralded President John F. Kennedy assassination probe trial.

'BAD FAITH' CITED

The judge's ruling, contained in a 21-page document, said that Garrison's perjury charge was brought in bad faith and that such bad faith "constitutes irreparable injury which is great and immediate."

The judge also said in the ruling that Garrison has an interest in continuing the prosecution of Shaw since the assassination probe was mentioned in a book recently written by Garrison. The D.A. is under contract to write three more books.

The perjury charge was filed two days after Shaw was acquitted of conspiracy March 1, 1969.

Garrison accused the New Orleans businessman of lying under oath when he testified he never knew Lee Harvey Oswald or David Ferrie, named as co-conspirators in the Kennedy assassination plot.

In his statement, Garrison repeatedly referred to the judge as "a federal employe." He has claimed in the past that the federal government has tried to prevent him from probing the late President's death.

". . . This appointed federal employe has no business nor has he any just authority whatsoever to enjoin elected officials of the State of Louisiana from doing their duty. Nor can he acquire such autocratic power, as he plainly has sought to do, by bending the United States Constitution."

(Indicate page, name of newspaper, city and state.)

FRONT PAGE

SECTION 1

TIMES-PICAYUNE

NEW ORLEANS, LA.

Date: 6/1/71
Edition:
Author:
Editor: GEORGE V. HEALY, JR.
Title: ASSINATION OF JOHN F. KENNEDY.

Character:
or
Classification: 89-69A*
Submitting Office:

☐ Being Investigated

XEROX

JUN 8 1971

62-109060-511

ENCLOSURE

The complete text of Garrison's statement follows:

"I have just completed wading through Judge Christenberry's decision in which he enjoins my further prosecution of Clay Shaw. It is apparent that Judge Christenberry either did not hear the evidence which was presented before him or is laboring under the illusion that he is a judge of the State of Louisiana elected by the people of New Orleans rather than a political appointee employed by the federal government.

"His r e m a r k a b l e lack of knowledge of the facts of the case — which is the most striking portion of his opinion — is alone sufficient to disqualify him from ordering any elected Louisiana district Attorney to avoid his duty and fail to prosecute where the facts and the law call for prosecution. In any event, this appointed federal employe has no business nor has he any just authority whatsoever to enjoin elected officials of the State of Louisiana from doing their duty. Nor can he acquire such autocratic power, as he plainly has sought to do, by bending the United States Constitution to make it say what it does not.

"Judge Christenberry gives as one of his reasons for enjoining further prosecution the fact that I have a financial interest in further prosecution. This is, of course, untrue and I have no doubt that Judge Christenberry was quite aware that it was untrue when he wrote it. As a matter of fact, although there was no reason why I could not have mentioned Shaw's name nor have gone into the Shaw trial during the course of the book — which would have made it considerably more appealing to the average reader and which would have assured more sales — I refrained from mentioning Mr. Shaw's name even once in the book.

"I did this because it is my policy to lean over backwards and be as fair as possible to every defendant whom I must prosecute. I have followed my custom of fairness with regard to Mr. Shaw from the very outset of this prosecution up through the present time, as Judge Christenberry knows full well. Nevertheless, he saw fit to say what he knew to be entirely untrue—that I sought personal gain in further prosecution of Shaw.

"Consequently, it is not I who have fallen short in his duty but Judge Christenberry in his distortion of the facts and the law. I might add that, having served as a federal employe on the bench for many years, it can hardly be an accident that Judge Christenberry has made this significant distortion which he then employed as a tool to justify his interference with the duty of an elected official of the state of Louisiana.

"The s e c o n d basis which Judge Christenberry employed to attempt to prevent me from doing my sworn duty was to state that the prosecution of Clay Shaw was begun and carried through in bad faith. This also is untrue, as Christenberry necessarily must have known even as he wrote it. This is my ninth year as district attorney and I have yet to prosecute any individual in bad faith nor have I permitted such a prosecution to occur. I do not pretend to know what personal gain this politically appointed f e d e r a l employe had in mind in concocting these two gargantuan untruths, however, I do know that to any thinking individual they most certainly should discredit him as a judge of any integrity.

"This particular opinion of the federal court, which interfered illegally and unjustifiably with the conduct of an office of an elected official of the State of Louisiana, had but one redeeming feature, so far as I was able to find. On a number of occasions, Christenberry made reference to a book which I had worked on in recent years and had the good fortune to have published recently. His references to several portions from it, now having been incorporated into a formal opinion, establish as a matter of legal record that he has read a book. Other than that there is very little that any honest attorney can say in defense of this undistinguished opinion which represents the latest federal interference with regard to our prosecution of Clay Shaw.

"I would like to be able to say that, in spite of the untruth to which I have had to refer, that the opinion bore some redeeming feature. It would be nice, for example, to be able to say that the opinion was well written or indicated a clear understanding of the facts or revealed a deep understanding of the law. However, if I were to do that I would then be departing from the truth and that was the technique used by the judge in drafting his opinion, a maneuver to which I do not propose to stoop.

"How can this federal judge pretend not to be aware of what is literally a landmark in fairness in prosecution: the request that a three-judge panel review the evidence and determine beforehand if there was a basis for charging Shaw? The three judges unanimously ruled that Shaw should be held for trial. Even then, this office restrained itself from charging Shaw and submitted it to a Grand Jury, before which I personally did not appear. The Grand Jury indicted Shaw for participation in the murder of the President. Was it then bad faith for me to follow the three judges' ruling and the Grand Jury and, thus, to initiate the prosecution of Clay Shaw?

"In point of fact, I would have failed in my duty to those

citizens who elected me, had I not done so—especially since the United States Supreme Court refused to stop the prosecution. It is astounding that Judge Christenberry should pretent not to see the demands of duty which were on me, but it is one of the unfortunate results of a lifetime tenure as a judge —such as Judge Christenberry holds as a result of his federal appointment—that he is free to disregard, and not even recognize on occasion, the duty owed by an official to the people. An official elected by those same people for short periods does not have the same freedom to disregard their existence.

"In summary, this outrageous distortion of the facts and law, couched in the guise of a studied legal opinion and pasted together by a man who should know better, cannot be allowed to rest as it is. This office will appeal this illegal, biased and distorted opinion within the next few days, in the hope that our case will find its way to judges who care about the truth and who are guided by the law."

(Mount Clipping in Space Below)

Asks Ggrrison recall

I would like to take this opportunity to seek your support in obtaining the recall or impeachment of Jim Garrison as district attorney, since he has shown himself to be unfit to perform the responsibilities of his office. Mr. Garrison's forced retirement would then allow him all the time in the world to chase "conspirators" with butterfly nets.

All one has to do is read his recent statement concerning Judge Christenberry's ruling, and see how closely his thoughts parallel those of Captain Queeg" in Lillian Hellman's "Caine Mutiny." Oh yes, I forgot to mention the fact that Queeg suffered from an extreme case of paranoia, compounded by delusions of grandeur.

I, for one, am sick and tired of the fact that our state has been repeatedly cast in the role of "comic relief" due to our elected officials. When will we, the voters, learn our lesson? I hope, for our sake, soon, mes amis.

R. P. Starnes

(Editor's Note: See The States-Item editorial of June 2.)

(Indicate page, name of newspaper, city and state.)

PAGE 8

STATES-ITEM

NEW ORLEANS, LA.

Date: 6/10/71
Edition: COMET
Author: R. P. STARNES
Editor: WALTER G. COVAN
Title: ASSINATION OF JOHN F. KENNEDY; DALLAS, TEXAS: 11/22/63
Character:
or
Classification: 89-69A*.
Submitting Office:

☐ Being Investigated

ENCLOSURE

62-109160-705

(Mount Clipping in Space Below)

GARRISON CASE FIGURES SUED

$1.5 Million in Damages Asked by Bradley

(Special to The Times-Picayune)

LOS ANGELES — A California man, whom Dist. Atty. Jim Garrison attempted to prosecute on charges of conspiring to assassinate President John F. Kennedy, Wednesday filed a $1.5 million damage suit against six defendants who he said tried to link himwith the killing.

Edgar Eugene Bradley avoided prosecution in the case when California refused to extradite him to Louisiana as requested by Garrison.

His suit names author Mark Lane, the Westinghouse Broadcast Co. of San Francisco, the Assassination Inquiry Committee, the Los Angeles Free Press, the New York Free Press, and Carol Aydelottee as defendants.

In the suit Bradley, a 52-year-old business representative for a radio evangelist, alleged that news stories about the extradition request ruined his chances of becoming a Republican candidate for Congress.

Bradley, who was indicted by Orleans Parish grand jury, denied the charges. Garrison eventually dropped his efforts to extradite Bradley and cited the death of an unnamed "major witness as the reason."

The only other man indicted on conspiracy charges in Garrison's probe, Clay Shaw, was acquitted after trial by jury.

(Indicate page, name of newspaper, city and state.)

PAGE 11

SECTION 1

TIMES-PICAYUNE

NEW ORLEANS, LA.

Date: 6/10/71

Edition:

Author:

Editor: GEORGE T. HEALY, JR.

Title: ASSIMILATION OF JOHN F. KENNEDY, DALLAS, TEXAS: 11/22/63

Character:

or

Classification: 89-69A*

Submitting Office:

☐ Being Investigated

1-[illegible]-7013

FBI

Date: 6/8/71

Transmit the following in _____ (Type in plaintext or code)

Via AIRTEL _____ (Priority)

TO: Director, FBI (62-109060)

FROM: SAC, New Orleans (89-69) (P)

ASSASSINATION OF PRESIDENT JOHN FITZGERALD KENNEDY, DALLAS, TEXAS, NOVEMBER 22, 1963
MISC. - INFORMATION CONCERNING
OO: Dallas

Enclosed for the Bureau is a newspaper article appearing in the Times-Picayune concerning above-captioned matter.

One copy each of this newspaper article is enclosed for Dallas and Miami.

EX-113

REC 17 62-109060-7014

2 JUN 10 1971

(2) - Bureau (Enc. 1) ENCLOSURE
1 - Dallas (89-43) (Enc. 1)
1 - Miami (Enc. 1)
1 - New Orleans
ECW:bs
(5)

Approved: _____ Sent _____ M Per _____

Special Agent in Charge

55 JUN 23 1971

(Mount Clipping In Space Below)

DA Should Resign or Be Impeached, Says Trapolin

Attorney Is Heard by YMBC Here

District Attorney Jim Garrison should resign or be impeached, Attorney Ivor A. Trapolin told the Young Men's Business Club here Wednesday.

Trapolin, former chairman of the Mayor's Advisory Committee on Crime and Delinquency, said the administration of criminal justice should be investigated by the Louisiana State Bar Association.

He referred to the legend engraved in front of the Criminal Courts Building, "The impartial administration of justice is the true foundation of liberty," and added that the DA's recent actions should give citizens "reason to be concerned that the foundation of liberty has been considerably shaken."

Trapolin referred to Garrison's attempted prosecution of Clay L. Shaw for perjury following Shaw's acquittal of conspiracy in the Kennedy assassination probe.

'INEXCUSABLE ATTACK'

Trapolin further said that Garrison's personal criticism of U.S. District Judge Herbert W. Christenberry for stopping further prosecution of Shaw was an "inexcusable attack."

The speaker said he agreed with Judge Christenberry that the prosecution of Shaw from the start was in bad faith.

Trapolin further criticized Garrison's prosecution of attorney Robert G. Haik for unauthorized use of a movable following a business dealing involving Garrison's mother.

The Louisiana Supreme Court reversed the conviction and sentence of Haik, with Associate Justice John A. Dixon Jr. stating:

"When the district attorney prosecutes a creditor of his mother for acts requiring novel and strained interpretations to bring them within criminal statutes, the prosecution is reprehensible."

'FAILED TO INVESTIGATE'

Trapolin said further that Garrison:

—Failed to investigate organized crime though he appointed former executive assistant James L. Alcock to concentrate in this area 26 months ago.

—Did not look into the Louisiana Loan and Thrift Corp. case, because he (Garrison) was involved in it.

In addition to the state bar association, Garrison's office should be investigated by the New Orleans Bar Association, New Orleans Criminal Courts Bar Association and the Louisiana Board of Ethics for State Elected Officials, said Trapolin.

The regular speaker at the YMBC luncheon in the Fairmont Roosevelt Hotel was state Sen. Charles C. Barham of Lincoln Parish, a candidate for lieuteant governor.

(Indicate page, name of newspaper, city and state.)

PAGE 15

SECTION 6

TIMES-PICAYUNE

NEW ORLEANS, LA.

Date: 6/3/71

Edition:

Author:

Editor: GEORGE W. HEALY, JR.

Title: ASSINATION OF JOHN F. KENNEDY.

Character:

or

Classification: 89-69A*

Submitting Office:

☐ Being Investigated

62-109060-2014

ENCLOSURE

UNITED STATES GOVERNMENT

Memorandum

TO : Director, FBI (62-109060)

DATE: 6/15/71

FROM: SAC, New Orleans (89-69) (P)

SUBJECT: ASSASSINATION OF PRESIDENT JOHN FITZGERALD KENNEDY, DALLAS, TEXAS NOVEMBER 22, 1963
MISC. - INFORMATION CONCERNING

Enclosed for the Bureau are two copies each of a letter dated 6/1/71 addressed to the Louisiana State Bar Association signed by IVOR A. TRAPOLIN, and a resolution calling for the immediate resignation of District Attorney JIM GARRISON of Orleans Parish which Mr. TRAPOLIN plans to present to the Young Men's Business Club of Greater New Orleans in the near future.

These documents are being furnished for the information of the Bureau.

(2) Bureau (Enc. 4)
1 - New Orleans
ECW:bs
(3)

ENCLOSURE

REC 16 7016
EX-113 12 JUN 17 1971

UNREC COPY AND COPY OF ENCL FILED IN

5 JUN 24 1971

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

IVOR A. TRAPOLIN
ATTORNEY AT LAW
NATIONAL BANK OF COMMERCE BUILDING
JACKSON 5-0447 NEW ORLEANS 70112

June 1, 1971

Louisiana State Bar Association
101 Supreme Court Building
New Orleans, Louisiana 70112

Gentlemen:

> "The impartial administration of justice is the foundation of liberty". Engraved in stone on front of the Criminal District Court Building, Tulane and Broad Streets, New Orleans, Louisiana.
>
> "The district attorney's duty is to seek justice, not merely to convict. The prosecutor represents the State, and should use restraint in the discretionary exercise of governmental powers. He should not institute criminal charges when the charges are not supported by probable cause. (ABA Code of Professional Responsibility, Canon 7, EC 7-13; Disciplinary Rule 7-103(A)." Judge John A. Dixon, Jr., Louisiana Supreme Court, May 4, 1971. (State of Louisiana versus Robert G. Haik)

As a member of the Louisiana State Bar Association I strongly urge you to investigate the operation of the administration of the criminal judicial system as it is operating in Orleans Parish.

1. Robert G. Haik case. Haik, a New Orleans Attorney, was charged with the offense of unauthorized use of movables. The complainant was Jim Garrison's mother. The Louisiana Supreme Court reversed and set aside Haik's conviction and sentence. According to Supreme Court Justice John A. Dixon, Jr., Haik was subject to "the shocking injustice of prosecution" at the hands of District Attorney Jim Garrison. Judge Dixon concluded that

62-109060 - 78

"When the district attorney prosecutes a creditor of his mother for acts requiring novel and strained interpretations to bring them within criminal statutes, the prosecution is reprehensible".

2. Clay Shaw case. Federal District Judge Herbert W. Christenberry characterized the facts in this case as "unique and bizarre". He ruled that the pending prosecution of Clay Shaw, a New Orleans businessman, was being "brought in bad faith and that such bad faith constitutes irreparable injury which is great and immediate". May 27, 1971.

3. The Louisiana State Bar Association must consider that Clay Shaw and Robert Haik had the advantage of most capable defense attorneys. What happens under our system when persons do not have the necessary funds to wage a costly defense of actions taken against them in "bad faith"? There is the further consideration of a citizen of means having to continually fight "bad faith" prosecutions and ending up with his life savings reduced to nothing.

4. Ledesma case. Operators of newstands obtained injunctive relief against arrest and prosecution under the Louisiana Obscenity Statute by a three Judge Federal District Court in New Orleans. Judgment affected primarily Orleans, Jefferson and St. Bernard Parishs. The question was the "intruding into State's criminal processes" by Federal District Courts when prosecutions were brought in good faith. The District Attorney of Orleans Parish failed to appeal this matter to the United States Supreme Court. The entire burden of appeal was handled successfully by the District Attorney's Office of St. Bernard Parish. The United States Supreme Court's landmark decision was dated February 23, 1971. It is only because of this decision that we are benefited by current arrests under our City and State obscenity laws.

5. LL&T case. The Louisiana Code of Criminal Procedure provides "The Attorney General shall exercise supervision over all district attorneys in the State". Both District Attorney Jim Garrison and Attorney General Jack Gremillion were involved in the LL&T affairs. No investigation of the LL&T matters were instituted by the Orleans Parish District Attorney to consider possible violations of State laws. Under the facts in this matter it is hardly conceiva that one would look to the Attorney General to "intervene" in such a case.

6. Organized Crime. On April 19, 1969, Jim Garrison assigned his then Executive Assistant, James Alcock, to head a "team to concentrate on organized crime". This followed a report on Organized Crime by the Mayor's Advisory Committee on Crime and Delinquency on April 16, 1969. I was Chairman of this Committee. To the best of my knowledge, there was no meaningful investigation or action taken by the Garrison "team" against the forces of organize crime in Orleans Parish. Enclosed is a copy of the Mayor's Advisory Committee report and my report as Chairman dated June 11, 1969.

You should also consider quotes from the following publications:

Life Magazine - April 10, 1970:

"In New Orleans, District Attorney Jim Garrison directed a succession of grand jury inquiries, each of which wound up in solemn agreement with Garrison that there was 'no evidence of organized crime in Orleans Parish'. But meanwhile enforcement agencies outside the st te had arrested three of the nation's leading layoff bookmakers - Sam DiPiazza, Eugene Nolan and Frank Timphony - for operati right in Garrison's jurisdiction. Garrison chose to ignore evidence given at the DiPiazza and Nolan trial that they were handling hundreds of millions of dollars in layoff bets from New Orleans. Both men were convicted; Timphony's trial is pending.

From 1965 through 1969, Garrison obtained just two convictions and five guilty pleas in police cases brought against Marcello's gangsters. He dismissed 84 such cases, including 22 gambling charges, one for attempted murder, three for kidnapping and one for manslaughter. Garrison even managed to hush up the fact that last June a Marcello bagman, Vic Carona, died after suffering a heart attack during a political meeting held in Garrison's own home".

(It is of particular interest that the above two paragraphs in the Life article concerning organized crime's influence in Louisiana were completely by-passed by the Louisiana Legislature Investigating Committee. The following quotes were also not investigated).

Look Magazine - August 26, 1969:

"In public records, sometimes only thinly obscured, it is possible to see an association between the big, bluff, moralizing DA (Garrison) and the organized crime he says does not exist.

* * * *

Confidential records of the New Orleans Police describe Marcello as 'one of the most notorious underworld figures in the country', and the U. S. Immigration and Naturalization Service has been trying to deport him for years. Garrison, stoutly maintaining there is no organized crime in New Orleans, described Marcello in a taped NBC interview as 'a respectable businessman'. Mafia-watchers among lawmen got a howl out of that".

Reader's Digest - August 1970:

"Marcello operates with impunity in Louisiana because state and local statutes are not enforced against him".

Under our present system over the recent years there appears to be no legal body willing to effectively handle the problems of organized crime. The District Attorney has not taken a strong stand against those involved in organized crime. The Attorney General has not "exercised supervision". Grand Juries have been controlled by their legal advisor, the District Attorney. In the case of our juries there is the further question of the method of selection. Two members of our Jury Commission were recently arrested for illegal gambling operations. Two

letters to Judge Bernard Bagert are enclosed to further indicate the lack of use of existing laws in this area. The March 24, 1971 letter remained unanswered. No answer to date has been received as a result of the May 28, 1971 letter.

7. Jack Anderson, a national columnist reported an alleged illegal act by Jim Garrison. This story was carried nationally, but not in New Orleans. There is no record of an independent investigation into this incident.

8. Judges. "Impartial administration of justice" is the goal of our judicial system. A review of the Haik case causes any student of our judicial system to seriously question our method of selecting judges. We have a situation where most of our criminal judges in Orleans Parish sit because of their prior association with the District Attorney or because of his support. An element of control over the Judges by the District Attorney exists under our present system. The American Bar Association, The American Judicature Society, The President's Commission on Law Enforcement and the Administration of Justice, have strongly advocated a change to a screening process in the selection of judges. In June of 1969 the New Orleans Mayor's Advisory Committee on Crime and Delinquency approved and released a report on this subject. A copy is enclosed.

9. Crime Rate. The crime rate in New Orleans continues to spiral upward. The citizens of this City have become rightly concerned about their safety and that of their families and their possessions. Substantial man-hours and public funds have been expended by our District Attorney in vigorously prosecuting innocent defendants. There is the question as to such use by an elected official of public funds that were so needed in the handling of cases involving criminals - organized and unorganized.

We should all keep in mind the quote that appears above the Broad Street entrance of the Criminal District Court Building in Orleans Parish - "This is a government of law not of men". Unfortunately, a study of our present system projects a government of men not of law.

Conditions in Orleans Parish cry for a change. It is hoped that our Bar Associations will take the necessary steps to correct a "reprehensible" situation.

The leadership for such changes properly belong to the Louisiana State Bar Association and the New Orleans Bar Associations. It is hoped that without further delays such leadership will be forthcoming.

Yours very truly,

Ivor A. Trapolin

d

cc: Judge John A. Dixon, Jr.
Justice Joe Sanders
New Orleans Bar Association
New Orleans Criminal Bar Association
Louisiana Board of Ethics for State Elected Officials

Enclosures:

Organized Crime Report - Mayor's Advisory Committee on Crime and Delinquency - April 16, 1969
Organized Crime Report - Chairman of the Mayor's Advisory Committee on Crime and Delinquency - June 11, 1969
Report on the Judiciary - Mayor's Advisory Committee on Crime and Delinquency - June 1969
Letter to Superintendent of the New Orleans Police Department - February 24, 1971
Letter to Judge Bernard Bagert - March 24, 1971
Letter to Judge Bernard Bagert - May 28, 1971

RESOLUTION

The Young Men's Business Club of Greater New Orleans, a civic organization made up of professional and businessmen, has reviewed the recent cases that have been handled by Jim Garrison, District Attorney for the Parish of Orleans.

Judge John A. Dixon, Jr., of the Louisiana Supreme Court on May 4, 1971, in the case of Louisiana versus Robert G. Haik made it clear that "the duty of a district attorney differs from that of an ordinary lawyer". He wrote "A lawyer is free to be a partisan on behalf of his client, and partisanship is a part of advocacy. But the district attorney's duty is to seek justice, not merely to convict. The prosecutor represents the State, and should use restraint in the discretionary exercise of governmental powers. He should not institute criminal charges when the charges are not supported by probably cause. (ABA Code of Professional Responsibility, Canon 7, EC 7-13; Disciplinary Rule 7-103(A))".

In the Haik case, Robert G. Haik, a New Orleans attorney and businessman, was charged with and convicted of the offense of Unauthorized Use of Movables LSA R.S. 14:68. The Louisiana Supreme Court unanimously reversed the conviction. Judge Dixon in his concurring opinion found that there was "shocking injustice" in the prosecution of Haik. The Louisiana Supreme Court held that the Criminal District Court did not have jurisdiction over the case since none of the events occurred in Orleans Parish. Besides, there was no movable property involved. Judge Dixon concluded that "If all things testified to by the witnesses had occurred in Orleans Parish, there would still have been no crime committed by the defendant".

The complainant in this case was the mother of District Attorney Jim Garrison.

Judge Dixon severely criticized the fact that before the judgment in the lower Court became final Mr. Haik "was arrested and jailed" and it was only on the order of the Louisiana Supreme Court that he was released from custody of the Sheriff.

Judge Dixon in his opinion stated "When the district attorney prosecutes a creditor of his mother for acts requiring novel and strained interpretations to bring them within criminal statutes, the prosecution is reprehensible".

The Young Men's Business Club has also read with considerable concern the Opinion of Judge Herbert Christenberry in the Clay Shaw versus Jim Garrison case. This decision was rendered on May 27, 1971.

62-109060 — 7015

Judge Christenberry characterized the facts in the Shaw case as "unique and bizarre". The Judge pointed out that the arrest of Clay Shaw was "based solely on (Perry) Russo's questionable, vague story". The Court held that there was " a fair inference" that there was implanted in the mind of Russo a story implicating Shaw in an alleged conspiracy plot. The opinion refers to Garrison's "use of drugs and hypnosis on Russo", and to Russo as being an "unreliable" witness, which fact was readily determined from the very first interview that was taken by a member of Garrison's staff.

Judge Christenberry stated that Shaw was arrested, charged prosecuted and found innocent based on Russo's statements and then Shaw was again charged with the crime of perjury stemming from Russo's story.

Judge Christenberry found that the prosecution of Shaw "was brought in bad faith and that such bad faith constitutes irreparable injury which is great and immediate".

Following the May 27, 1971 decision of Judge Christenberry there followed a personal attack on Judge Christenberry by Jim Garrison. Judge Christenberry was called a liar who distorted the facts.

A major New Orleans newspaper in an editorial stated:

> "Mr. Garrison not only has sought to pervert our judicial system for his own ends, but has sought to destroy confidence in the judiciary itself by villifying one of its most respected members.
>
> We believe it is time - past time - for someone or some organization with the proper authority to take action against Mr. Garrison, before he does any more damage to our judicial system and to innocent individuals".

As a part of the battle against the criminals in this ar it is essential that we have a competent District Attorney totally dedicated to convicting those who have committed crim At the same time, a District Attorney must be level headed ar fair minded. He must not trample on the rights of any citize He must use discretion in the exercise of his governmental powers.

The members of the Young Men's Business Club are greatly concerned with the tremendous crime increase in this communit It is such that there is reason for each of us to have a fear for our safety, our family's safety and that of our possessio

Each citizen should be greatly concerned when the Federa District Court concluded that our District Attorney spent "mo than $99,000.00" prosecuting in "bad faith" a fellow citizen. Of equal concern is the consideration of the thousands of man hours expended in the prosecution of innocent defendants, su as Clay Shaw and Robert Haik, when such dedication and time so desperately needed in the prosecution of guilty criminals

The Young Men's Business Club has considered the news coverage of the District Attorney's Office over the recent ye: including those articles that have appeared in local as well as national publications such as Life and Look Magazines. It was felt advisable to limit the Young Men's Business Club's position to two judgments reached - one by the Louisiana Supre Court and the other a Federal District Court.

Based on these two decisions:

BE IT RESOLVED that the membership of the Young Men's Business Club of Greater New Orleans demands that Jim Garrison District Attorney of Orleans Parish, immediately resign from office.

BE IT FURTHER RESOLVED THAT if there is no resignation forthcoming by July 1, 1971, the citizens of this community use existing laws for the removal of Jim Garrison from the office of District Attorney.

BE IT FURTHER RESOLVED that copies of this Resolution be sent to the Professional Ethics and Grievances Committee of the Louisiana State Bar Association, New Orleans Bar Associat and New Orleans Criminal Bar Association.

June 22, 1971

REC 4 62-109060-7016

Honorable Edward M. Kennedy
United States Senate
Washington, D. C. 20510

Dear Senator:

Your communication to the Department of Justice enclosing a letter and related material from Mr. Walter W. Amenhauser was referred to this Bureau and received on June 17th.

With respect to Mr. Amenhauser's comments, you may assure him that the FBI has no investigative interest in him.

As you requested, his letter and enclosures are being returned.

MAILED 22
JUN 22 1971
FBI

Very truly yours,

J. Edgar Hoover

John Edgar Hoover
Director

Enclosures (3)

1 - Mr. Herbert E. Hoffman
Chief, Legislative and Legal Section
Office of the Deputy Attorney General

NOTE: Bufiles disclose correspondence with Senator Kennedy is addressed as above. In 1968 Amenhauser directed a seven-page letter to Congressman Burt L. Talcott, and others, claiming clairvoyant ability and alleging he had made numerous important predictions, among them that he had reported to an Agent of the FBI in 1961 that a President would be assassinated in Dallas, Texas, in the latter part of 1963. By letter to Congressman Talcott, 1-3-68, the Director advised him that Amenhauser's allegation was without merit. From information available, it would appear Amenhauser is suffering from a mental problem.

Tolson
Sullivan
Bishop
Brennan, C.D.
Callahan
Casper
Conrad
Dalbey
Felt
Gale
Rosen
Tavel
Walters
Soyars
Weaver
Tele. Room
Holmes
Gandy

53 JUN 30 1971

JBV:ls (3)

MAIL ROOM TELETYPE UNIT

(Ed. 9-28-66)

DATE: June 16, 1971

To: Thomas E. Bishop
F.B.I.
5640 - Main

From: Herbert E. Hoffman
Chief, Legislative & Legal Section
Office of the Deputy Attorney General

Subject: Correspondence from:

Sen. Edward Kennedy re communication from Walter [illegible] relative to "harassment by government agents"

Mr. Tolson
Mr. DeLoach
Mr. Mohr
Mr. Bishop
Mr. Brennan C.D.
Mr. Callahan
Mr. Casper
Mr. Conrad
Mr. Felt
Mr. Gale
Mr. Rosen
Mr. Sullivan
Mr. Tavel
Mr. Trotter
Tele. Room
Miss Holmes
Miss Gandy

Responsibility

____ Prepare reply for signature of Deputy Attorney General and forward to Herbert E. Hoffman, Room 4117, Main Justice.

xx ____ Make an appropriate reply with a copy to Herbert E. Hoffman, Room 4117, Main Justice.

Department File No.: NO DJ TO CL

Miscellaneous Information:

____ Interim reply is being/has been made.

xx ____ No interim reply is being made.

____ Copy of incoming correspondence attached.

xx ____ Original of incoming correspondence attached.

____ Please return attachment.

EX-122
REC 4
7016
10 JUN 25 1971

5 ENCLOSURE

EXP. PROC. 34
JUN 17 1971

United States Senate

Respectfully referred to

Congressional Liason
Department of Justice

---

for such consideration as the communication herewith submitted may warrant, and for a report thereon, in duplicate to accompany return of inclosure.

By direction of

Sen. Edward M. Kennedy, Chm.
Sub. Administrative Practice
Room 3214 N.S.O.B.
Att. Mitch Harvey U. S. S.

62-107000-7016

ENCLOSURE

4-14-71

Dear Senator Kennedy:-

Please find New Ross Article enclosed.

I was told in Ireland that I was being harassed by U.S. Government Agents.

Shortly after the article was printed I was forced to live 60 Day's on Bread and Water. I have been under constant harassment since I returned to the States last May. Have had 1 night's rest of these past 4.

About 1930-age 15- I had a Vision in which I was told that I would go on a mission which would take me to New Ross, Ireland. And then there would be a New World!

Anything you can do to relieve the harassment will be deeply appreciated.

Sincerely,

Walter W. Amenhauser
246-4th St
Elyria, Ohio

JUN 25 1971

COPY:wmc

62-109060 - 7016

ENCLOSURE

4-14-71

MIKE Sir

Dear Senator Kennedy:-

Please find new Ross
article enclosed.

I was told in Ireland
that I was being harassed
by U.S. Government Agents.

Shortly after the article
was printed I was fined
to live 60 Day's on
Bread and Water.

I have been under
constant harassment
since I returned to
the States last May.
I have had 1 night's rest
5) Time part 4
About 1930 - age 15 - I
had a vision in which
I was told that I
would go on a mission

which would take me to New Ross, Ireland. And then I'm sure would be a New World!

Anything you can do to release the harassment will be deeply appreciated

Sincerely,

Walter W. Smithmier

246 - 4th St

Elyria, Ohio

LAW OFFICES OF
JOHN W. KERRIGAN

SUITE 315 ANDRESON BUILDING
SAN BERNARDINO, CALIFORNIA
TUrlock 44-2188 or 81-6-70

December 18, 1961

Walter W. Amenhauser
243 Ortega
Palm Springs, California

Dear Mr. Amenhauser:

I am in receipt of your letter of December 15, 1961, and wish to advise that there is an FBI agent in Palm Springs. If you will contact the Police Department at Palm Springs, they will give you the information on how to contact him.

With kind regards, I remain

Cordially yours,

John W. Kerrigan

JOHN W. KERRIGAN
U. S. Commissioner

JWK:eb

7016

Clayton Taylor DI 7 1179

45628

New Ross Standard

SATURDAY, FEBRUARY 21, 1970

Foresaw death of President Kennedy

Staying in New Ross this week is a Californian, Walter W. Amenhauser, from Long Beach, who had a vision in 1937 that the President would be assassinated in the latter part of 1963 in Dallas, Texas.

In 1961, he went to explain his vision to a lawyer, Mr. John W. Kerrigan, who exhorted him to get in touch with an F.B.I. agent. Mr. Kerrigan put him in touch with Mr. Clayton Taylor, an F.B.I. agent, on 14th December, 1961. Mr. Amenhauser revealed his vision to Mr. Taylor.

Mr. Amenhauser also had a vision that the United States would be attacked in a war holocaust in 1968. He now fears that the Middle-East situation will develop into a world war. That is one of the reasons he is in Europe. He had written to Adenaur and De Gaulle and decided to come to Europe to try and see them. I only got within twenty miles of De Gaulle. I am here in Ireland now hoping to settle down, for I know that Ireland will be spared in this world war that is going to happen."

Warning Ignored

Mr. Amenhauser said that he had contacted Congressmen and Senators about his visions. He had made recordings and had written to President Johnson. He had also written to and had a reply from the late Robert Kennedy whom he warned not to run for the Presidency. He also tried to get people to persuade President Kennedy not to go to Dallas in 1963.

Mr. Amenhauser, who is a convert, has fears for his health because of his visions, and hopes to get some relief here in Ireland. He spent four months in Lourdes "in the hope of getting relief from this severe harrassment that I am getting."

FBI

Date: 6/22/71

Transmit the following in _____ (Type in plaintext or code)

Via AIRTEL (Priority)

Mr. Mohr
Mr. Bishop
Mr. Brennan, C.D.
Mr. Callahan
Mr. Casper
Mr. Conrad
Mr. Dalbey
Mr. Felt
Mr. Gale
Mr. Rosen
Mr. Tavel
Mr. Walters
Mr. Soyars
Mr. Beaver
Tele. Room
Miss Holmes
Miss Gandy

TO: DIRECTOR, FBI (62-109060)

FROM: SAC, DALLAS (89-43)(P*)

SUBJECT: ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY,
DALLAS, TEXAS,
NOVEMBER 22, 1963
MISCELLANEOUS - INFORMATION CONCERNING

OO: Dallas

Enclosed for the Bureau is the original and one Xerox copy each of the following described newspaper articles:

(1) Article from "The Dallas Times Herald", Dallas, Texas, 6/10/71, reflecting interview by DON SLOAN with ILYA MAMANTOV, currently head of the Russian program at Southern Methodist University, Dallas, Texas.

(2) Article from "The Dallas Times Herald", Dallas, Texas, dated 6/11/71, reflecting a $1.5 million damage suit being filed by EDGAR EUGENE BRADLEY, a west coast representative for radio evangelist, Dr. CARL MC INTIRE, against JAMES GARRISON, New Orleans District Attorney.

Enclosed for the New Orleans office is one copy each of the above described newspaper articles.

Enclosed for Los Angeles is one copy of the newspaper article concerning EDGAR EUGENE BRADLEY.

ENCLOSURE ATTACHED REC 89 62-109060-7017 ENCLOSURE ATTACHED

7 JUN 24 1971

EX 101

2 - Bureau (Enc.4)
1 - New Orleans (89-69)(Enc.2)
1 - Los Angeles (Info)(Enc.1)
1 - Dallas
RPG:jls
(5)

1 Xerox of Rec. 7017 and encl. made for FOIA, 2-28-77 J. Monroe

1149

55 JUL 8 1971

Approved: _____ Sent _____ M Per _____

Special Agent in Charge

51 JUL 29 1971

DL 89-43

For the information of the Bureau, the interview with Mrs. LEE HARVEY OSWALD in which ILYA MAMANTOV was the interpreter, is reflected on pages 104 and 105 of the report of SA ROBERT P. GEMBERLING dated 11/30/63 captioned "LEE HARVEY OSWALD, aka, etc.; ASSASSINATION OF PRESIDENT JOHN FITZGERALD KENNEDY, NOVEMBER 22, 1963, DALLAS, TEXAS".

The foregoing information is for the information of the Bureau, New Orleans, and Los Angeles.

(Mount Clipping in Space Below)

Suit Filed Over JFK Death Probe

LOS ANGELES (UPI) — A man who was drawn into the Kennedy assassination investigation by New Orleans Dist. Atty. James Garrison has filed a $1.5 million damage suit.

Among the six defendants named by Edgar Eugene Bradley were Garrison, writer Mark Lane and the assassination inquiry committee.

Bradley, 52, West Coast representative for radio evangelist Dr. Carl McIntire, charged defamation and malicious prosecution in the suit.

Gov. Ronald Reagan rejected an extradition from Garrison based on a fugitive warrant issued by the New Orleans district attorney.

At that time, Bradley said in his suit, he was considering running for Congress but the publicity ruined any chances he might have had.

B. Appr 01 1917

LA.

CALIF.

LA.

(Indicate page, name of newspaper, city and state.)

"The Dallas Times Herald" Dallas, Texas

Date: 6-11-71

Edition:

Author:

Editor: Felix R. McKnight

Title:

Character or Classification:

Submitting Office:

☐ Being Investigated

COPIES DESTROYED

2 JAN 7 1973

62-109060-7017

unt Clipping in Space Below)

Drama-Filled Life

Dallas' Dark Day Another Highlight

By DON SLOAN, Staff Writer

It was a late autumn afternoon in 1963 when Ilya Mamantov's telephone rang.

"Mr. Mamantov? This is the Dallas Police Department. We need you to do the translation in an interrogation. Can you be ready in three minutes?"

Mamantov, somewhat flustered, muttered affirmation and walked outside where a police car, lights flashing and sirens screaming, was already in sight. It skidded to a stop.

"Get in, please," barked the driver. Mamantov, puzzled, got in and the squad car began bullying its way through heavy rush-hour traffic. At one intersection, as they sped through a red light, Mamantov saw his wife. He waved as she sat astonished.

Downtown, Mamantov, then a Russian instructor at the old Dallas College, was hustled out of the car and down a corridor at Police Headquarters. At one point he passed a thin, wiry young man in sweater and open-necked shirt, standing in a doorway flanked by police.

In another moment he sat down to question, through translation, that man's wife—Mrs. Lee Harvey Oswald. The day was Nov. 22, 1963, a day Dallas and the world will never forget.

Mamantov, now 52 years old and an assistant professor of Russian at Southern Methodist University, sat back in his chair Wednesday and continued.

"They brought in a rifle with a telescopic sight on it and told me to ask if it was her husband's. I did and she replied that it looked like one he had. She was very nervous.

"They questioned her closely for about an hour and a half, then told me I could go."

He was escorted back to the police car and driven home to explain as best he could to his dumbfounded wife his brush with some of America's most important and possibly most tragic history.

I was Republican precinct chairman in North Dallas at the time and I'm sure they wondered if I

COPIES DESTROYED
21 JAN 1979

(Indicate page, name of newspaper, city and state.)

A23 "The Dallas Times Herald" Dallas, Texas

Date: 6-10-71
Edition:
Author:
Editor: Alex R. McKnight
Title:

Character:
or
Classification:
Subdividing Office

Being Investigated

had anything to do with it," he said, adjusting his glasses. "After all, Mr. Kennedy wasn't our candidate in 1960."

Ilya Manatov is a medium height, medium built man with a rich accent sense of humor and impeccable manners.

When he reaches for a cigarette, he offers all around with a half-apologetic, "In Europe, it is the polite thing to do."

At SMU he heads a Russian program that has blossomed under his direction frof a 14-student, one-year course in 1964 to a full four-year curriculum complete with branches into the English department.

HIS LIFE has spanned from the tiny Russian town where he was born, through German Nazi terrorism, a long stay in a displaced persons camp after World War II and jobs in New York and New Mexico, to his encounter with history here in Dallas and finally to his position at SMU.

Mamantov and his family were refugees for some time during the war and after it, so frightened of their future that at one time each carried a poison capsule in case of capture.

They spent several years in a DP camp in Germany following World War II and got out only by being sponsored by U.S. citizens.

MAMANTOV and his family came to the U.S. in 1949, lived a short time in New York, then moved to Roswell, N.M. He became a geologist for Sun Oil Co., continuing the profession he was forced to abandon in his home country of Lativia.

He moved to Dallas in 1955 and taught Russian part-time before heading the program at SMU in 1969. The program is perhaps his most consuming project and indeed one which he fervently believes is needed in Dallas.

"Russian culture has contributed significantly to world culture," he said, gesturing. "It's very important that people learn about it.

"Many associate Russia purely with communism and reject anything connected with it solely on that basis and that's not right."

This past year his Russian culture class, under the Department of Liberal Arts, commanded a higher student following than any other elective offered at the school.

MAMANTOV suggested the course with the idea that anyone who wished might enroll. It was a hit at SMU and this fall he plans to include even non-students and "anyone else who would be interested."

"We have built our program here on solid foundations," he said. "I am not afraid for any of my students to transfer to other colleges because we teach to represent the university."

6/24/71

AIRTEL

TO: Director, FBI (62-109060)

FROM: SAC, New Orleans (89-69) (P)

ASSASSINATION OF PRESIDENT JOHN FITZGERALD
KENNEDY, DALLAS, TEXAS, NOVEMBER 22, 1963
MISC. - INFORMATION CONCERNING
OO: Dallas

Enclosed for the Bureau are newspaper articles appearing in New Orleans newspapers concerning above-captioned matter.

One copy each of these newspapers articles is enclosed for Dallas and Miami.

62-107060-
NOT RECORDED
102 JUL 7 1971

2 - Bureau (Enc. 4)
1 - Dallas (89-43)(Enc. 4)
1 - Miami (Enc. 4)
1 - New Orleans
ECW:bs
(5)

FYI 40
51 JUL 9 1971

ORIGINAL FILED IN

TREAT AS YELLOW

FBI

Date: 7-6-71

☐ IMMEDIATE
☑ URGENT
☐ NITEL (Field only)

Transmit the message that follows by coded teletype:

* *

TO:
☐ THE PRESIDENT
☐ THE VICE PRESIDENT
☐ ATT.: _____
☐ WHITE HOUSE SITUATION ROOM
☐ ATT.: _____
☐ SECRETARY OF STATE
☐ DIRECTOR, CIA
☐ DIRECTOR, DEFENSE INTELLIGENCE AGENCY
☐ AND NATIONAL INDICATIONS CENTER
☐ DEPARTMENT OF THE ARMY
☐ DEPARTMENT OF THE AIR FORCE
☐ NAVAL INVESTIGATIVE SERVICE
☒ U. S. SECRET SERVICE (PID)
☐ ATTORNEY GENERAL (BY MESSENGER)
☐ NATIONAL SECURITY AGENCY, ATT: SENIOR OPERATION OFFICER
☐

FIELD DISSEMINATION

☐

REC-39 62-107060-7018

10 JUL 7 1971

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

JUL 6 1971

TELETYPE

From: DIRECTOR, FBI

Classification: Unclassified

Subject: SAME

(Text of message begins on next page.)

Approved _____

MAIL ROOM ☐ TELETYPE UNIT ☐ Sent _____ M Per _____

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

JUL 3 1971

TELETYPE

NR007 AT CODE

9:55PM NITEL 7-3-71 TEK

TO DIRECTOR

NEW ORLEANS

FROM ATLANTA 175-NEW

Mr. Tolson
Mr. Sullivan
Mr. Mohr
Mr. Bishop
Mr. Brennan CD
Mr. Callahan
Mr. Casper
Mr. Conrad
Mr. Dalbey
Mr. Felt
Mr. Gale
Mr. Rosen
Mr. Tavel
Mr. Walters
Mr. Soyars
Mr. Beaver
Tele. Room
Miss Holmes
Miss Gandy

[redacted] ASSASSINATION OF FORMER PRESIDENT JOHN F. KENNEDY AND ALLEGED PLANS TO KILL GOVERNOR OF GEORGIA. PRESIDENTIAL ASSASSINATION STATUTE. ~~OO:~~ OFFICE OF ORIGIN ATLANTA.

KEEFE ~~PP~~ ATLANTA CALL TO NEW ORLEANS JULY THREE, SEVENTYONE.

[redacted] ADVISED SA ROBERT M. KEEFE AT FOUR THIRTY PM, JULY THREE, SEVENTYONE, THAT SUBJECT HAD CONFESSED ON JUNE TWENTYSEVEN, SEVENTYONE, HIS COMPLICITY IN KILLING OF KENNEDY AND THAT HE WAS IN ATLANTA FOR THE PURPOSE OF CONDUCTING ANOTHER UNDERWORLD DIRECTED ASSASSINATION OF AN UNNAMED POLITICAL FIGURE.

SUBJECT INTERVIEWED JULY THREE, SEVENTYONE, BY SA KEEFE AT GRADY MEMORIAL HOSPITAL POLICE DETENTION UNIT WHERE HE IS UNDERGOING WITHDRAWAL FROM NARCTOICS. SUBJECT IN CUSTODY OF ATLANTA POLICE DEPARTMENT WITHOUT BOND ON KIDNAP AND ARMED ROBBERY CHARGE COMMITTED JULY TWO, SEVENTYONE. SUBJECT ADVISED HE ALSO FIRED SHOTS KILLING KENNEDY AND WHEN PRESSED FOR IDENTITY OF INTENDED VICTIM

SI-113
REC-39 62-107060-7018
1 JUL 7 1971

- END PAGE ONE

COPIES DESTROYED 2

JUL 12 1971

21 JAN 17 1973

UNRECORDED COPY FILED IN 62-109246-1 11-17-75

AT 175-NEW

AT ATLANTA HE NAMED GOVERNOR OF GEORGIA, BUT WAS UNABLE TO IDENTIFY GOVERNOR BY NAME. E. APPROX 1131 - 1133

SUBJECT NAMED ROCCO, IDENTIFIED ONLY AS ITALIAN EXTRACTION, LP. AGE THIRTYEIGHT TO FORTY, WHO FREQUENTS TOPEZ LOUNGE (PHONETIC), CANAL STREET AREA, NEW ORLEANS, AS PERSON WHO INSTRUCTED HIM TO COME TO ATLANTA AND GET SET UP FOR INTENDED KILLING. SUBJECT OFFERS ASSISTANCE TO FBI IN RETURN FOR BEING RELEASED BY ATLANTA POLICE DEPARTMENT AND PUT ON STREET WHERE HE CAN "CIRCULATE".

[redacted] SUBJECT UNSURE OF BIRTHDATE, BUT STATES PLACE OF BIRTH AS WASHINGTON, D.C., AND STATES HE ATTENDED WOODROW WILSON HIGH SCHOOL AT WASHINGTON, D.C. E. APPROX 1131 SUBJECT FURTHER DESCRIBED AS WHITE MALE, AGE THIRTYTWO, FIVE FEET EIGHT INCHES, WEIGHT ONE EIGHT ZERO, MUSCULAR BUILD, BLACK HAIR, NUMEROUS TATTOOS ON ARMS. SUBJECT CLAIMED FORMERLY INCARCERATED AT NEW ORLEANS PARISH JAIL BY WARDEN FALKENBERG (PHONETIC). TEXAS

ATLANTA POLICE DEPARTMENT AWARE OF SUBJECT'S CLAIMS. L.H.

SECRET SERVICE AGENT JOHN COOK AND GEORGIA STATE PATROL, SECURITY OFFICER MC DERMID ADVISED SEVEN PM, JULY THREE, SEVENTYONE, BY SA KEEFE.

ATLANTA AND NEW ORLEANS INDICIES NEGATIVE RE SUBJECT.

LHM FOLLOWS.

END

EBM FBI WA CLR

ST
-p1-

REC-39 62-107160-7019

July 12, 1971

AIRMAIL

[redacted]

Halstead, Essex, England

Dear Mrs. Jones:

I have received your letter of June 30th, with enclosures, and understand the concern that prompted you to write.

With respect to your inquiry, the speculations of the newspaper from which you obtained the clipping concerning former President Kennedy are completely in error.

Sincerely yours,
J. Edgar Hoover

NOTE: Bufiles contain no record of correspondent.

JBT:dlb (3)

MAILED 12
JUL 12 1971
FBI

Tolson
Sullivan
Mohr
Bishop
Brennan, C.D.
Callahan
Casper
Conrad
Felt
Gale
Rosen
Tavel
Walters
Soyars
Cleaver
Tele. Room
Holmes
Gandy

1-406
61 JUL 19 1971

MAIL ROOM ☐ TELETYPE UNIT ☐

[redacted]

HALSTEAD. ESSEX.

Mr. Tolson	
Mr. Sullivan	
Mr. Mohr	
Mr. Bishop	
Mr. Brennan CD	
Mr. Callahan	
Mr. Casper	
Mr. Conrad	
Mr. Dalbey	
Mr. Felt	
Mr. Gale	
Mr. Rosen	
Mr. Tavel	
Mr. Walters	
Mr. Soyars	
Mr. Beaver	
Tele. Room	
Miss Holmes	
Miss Gandy	

vf

30. 6. 71.

Dear Sirs,

The enclosed cutting is from the Sunday Express of June 6th. I quite expected to see this report hotly denied, as this was not done I wrote to the Sunday Express & enclose their reply.

I am & always have & will be a very great admirer of the late President Kennedy & Senator Robert Kennedy & am sure the whole world has lost two very great men in their passing.

I will be very grateful if you will either confirm or deny this report please.

Thanking you,

Yours faithfully,

[redacted]

ASSASSINATION OF THE LATE Senator Robert F. Kennedy

12

REC-39 62-109060-7019

13

4 JUL 6 1971

EX-PROC

V ENCLOSURE. letter + clipping

CORRESPONDENCE

Mr. Sullivan
Mr. Mohr
Mr. Bishop
Mr. Brennan, C.D.
Mr. Callahan
Mr. Casper
Mr. Conrad
Mr. Dalbey
Mr. Felt
Mr. Gale
Mr. Rosen
Mr. Tavel
Mr. Walters
Mr. Soyars
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Tele. Room
Miss Holmes
Miss Gandy

30.6.71.

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I will be very grateful if you will either confirm or deny this report-please.

Yours faithfully,

[redacted]

copy:kmk

Sunday Express
SUNDAY EXPRESS LIMITED
FLEET STREET - LONDON - EC4A 2NJ
TELEPHONE
01-353 8000

22nd June, 1971

[redacted]
HALSTEAD,
Essex., England

Dear Mrs. Jones,

Many thanks for your letter of June 20th. I am afraid that I cannot give you any further information on the Kennedy story. It was, as we said in the Sunday Express, a report carried in a Belgian newspaper and so far there has been neither confirmation nor denial.

We are, of course, continuing our enquiries and as soon as we get something concrete we shall consider the situation once again.

Yours sincerely,

PETER VANE,
Deputy Foreign Editor

SUNDAY EXPRESS
LONDON, ENGLAND

62-109060-1017

DUSHKEAS.

KENNEDY: DID HE - SURVIVE?

Sunday Express Reporter

BRUSSELS: A Belgian newspaper claims that President John Kennedy survived the assassination attempt in 1963.

The paper, Zondag Nieuws, says Kennedy was left a "human vegetable" after he was shot and did not die until earlier this year.

After the assassination bid, says the report, Kennedy was taken to a clinic on the Greek island Tenos, owned by Jacqueline Kennedy's second husband, Aristotle Onassis.

The paper claims Jacqueline's wedding to Onassis was a front to allow her to visit John Kennedy.

It says that after the shooting neither the general public, nor the Press ever saw Kennedy's body. It also quotes a Greek fisherman called Alexis, who says that from an island with a clear view of Tenos, he saw a man sitting alone in a wheelchair staring blankly out to sea every day.

The fisherman says that on April 16 the man was no longer there and he later saw the coffin lowered into the Aegean with Edward Kennedy and Jacqueline at the ceremony.

62-109060-1019

FBI

Date: 7/8/71

Transmit the following in _____ (Type in plaintext or code)

Via AIRTEL AIRMAIL (Priority)

TO: DIRECTOR, FBI

FROM: SAC, ATLANTA (175-31) (C)

SUBJECT: [redacted]
ASSASSINATION OF FORMER
PRESIDENT JOHN F. KENNEDY
AND ALLEGED PLANS TO KILL
GOVERNOR OF GEORGIA
PROTECTION OF THE PRESIDENT

Re Atlanta teletype to Bureau and New Orleans, dated 7/3/71, and Atlanta telephone call to New Orleans, dated 7/3/71.

Enclosed for the Bureau are the original and four copies, and for New Orleans one copy, of an LHM prepared at Atlanta on 7/8/71, captioned as above.

Attached are two copies of FD-376 for the Bureau and one copy for New Orleans.

One copy of enclosed LHM is being furnished the U. S. Secret Service, Atlanta, Georgia, via FD-376.

No further action is being taken in this matter by the Atlanta Division.

ENCLOSURE

1cc LHM Secret Service
1-Tickler Rm 5716
NSI 7-12-71

2 - Bureau (Enc. 5) (RM)
1 - New Orleans (Enc. 1) (RM)
1 - Atlanta
RMK:jwu
(4)

REC-53

62-109060-7020

12 JUL 12 1971

JUL 19 1971

EX-103

DIREC COPY AND COPY OF ENCL FILED IN

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

NAT. INT. SEC.

GPO : 1970 O - 388-738

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to File No.

WASHINGTON, D.C. 20535
July 8, 1971

Director
United States Secret Service
Department of the Treasury
Washington, D. C. 20220

[redacted] ASSASSINATION OF FORMER PRESIDENT JOHN F. KENNEDY AND ALLEGED PLANS TO KILL GOVERNOR OF GEORGIA

Dear Sir:

The information furnished herewith concerns an individual who is believed to be covered by the agreement between the FBI and Secret Service concerning Presidential protection, and to fall within the category or categories checked.

1. ☒ Has attempted or threatened bodily harm to any government official or employee, including foreign government officials residing in or planning an imminent visit to the U. S., because of his official status.

2. ☐ Has attempted or threatened to redress a grievance against any public official by other than legal means.

3. ☐ Because of background is potentially dangerous; or has been identified as member or participant in communist movement; or has been under active investigation as member of other group or organization inimical to U. S.

4. ☐ U. S. citizens or residents who defect from the U. S. to countries in the Soviet or Chinese Communist blocs and return.

5. ☐ Subversives, ultrarightists, racists and fascists who meet one or more of the following criteria:

   (a) ☐ Evidence of emotional instability (including unstable residence and employment record) or irrational or suicidal behavior:
   (b) ☐ Expressions of strong or violent anti-U. S. sentiment;
   (c) ☐ Prior acts (including arrests or convictions) or conduct or statements indicating a propensity for violence and antipathy toward good order and government.

6. ☐ Individuals involved in illegal bombing or illegal bomb-making.

Photograph ☐ has been furnished ☐ enclosed ☐ is not available
☒ may be available through Atlanta Police Department.

Very truly yours,

JUL 19 [illegible]

J. Edgar Hoover

John Edgar Hoover
Director

1 - Special Agent in Charge (Enclosure(s)
U. S. Secret Service, Atlanta, Georgia (RM)

Enclosure(s)

(Upon removal of classified enclosures, if any, this transmittal form becomes UNCLASSIFIED.)

UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION
Atlanta, Georgia

In Reply, Please Refer to File No.

July 8, 1971

[redacted]
ASSASSINATION OF FORMER
PRESIDENT JOHN F. KENNEDY
AND ALLEGED PLANS TO KILL
GOVERNOR OF GEORGIA

PROTECTION OF THE PRESIDENT

[redacted] appeared at the Atlanta Division of the FBI at 4:30 p.m., on July 3, 1971, and furnished the following information:

[redacted] On June 27, 1971, the subject and his common-law wife of six months, [redacted] also known as [redacted] appeared at [redacted] for the purposes of obtaining financial assistance. Financial assistance was provided for food and separate places of lodging were located by [redacted] for [redacted] and his wife.

On June 28, 1971, subject returned to [redacted] where [redacted] at which time [redacted] advised that he had been implicated in the assassination of the former President John F. Kennedy. [redacted] further advised that he was a hired killer in the employ of the underworld and used such terms as "contract" when referring to past killings he alleged to be involved with. [redacted] advised that his purpose for being in Atlanta was to carry out the killing of an unidentified political figure, which like the Kennedy killing, was to be directed by the underworld. [redacted] had a great deal of knowledge regarding the Kennedy killing and spoke very fluently using the names of many persons involved in the killing and the subsequent investigations. However,

---

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

62-107760-70[illegible]

ENCLOSURE

at no time did [redacted] furnish any information [redacted] that was of the nature that would indicate that it was anything that may not have been published as a result of the investigation of the killing by various news media in either factual or speculative form.

[redacted] remained in contact with [redacted] until July 3, 1971, at which time [redacted] agreed to allow [redacted] to furnish this information [redacted] to the FBI. [redacted] advised that during this one week period, he has learned the following regarding [redacted]

[redacted] was arrested on July 2, 1971, by the Atlanta Police Department on charges of armed robbery and kidnapping and is presently incarcerated in the Atlanta City Jail. [redacted] is from the New Orleans, Louisiana, area and has been a recent inmate of the New Orleans Parish Jail in the custody of Warden Falkenberg (phonetic). [redacted] advised he has been in telephonic contact with Warden Falkenberg and has been advised that Falkenberg ~~used~~ [redacted] as an informant on numerous occasions and had always found [redacted] to be a truthful individual.

[redacted] says that [redacted] has admitted that he is a narcotics addict on the hard stuff and has a very expensive habit requiring a daily fix. [redacted] is also from time to time the user of various narcotics. [redacted] further advised that he has been in contact with Dr. Ponce de Leon of the Grady Memorial Hospital Psychiatric Service. Dr. Ponce de Leon has described [redacted] as a narcotic addict with a psychotic problem who is a potentially very dangerous person to himself and to others.

At 6:00 p.m., on July 3, 1971, a Special Agent of the FBI went to the Atlanta City Jail for the purposes of interviewing [redacted] and was advised that he was in Police Detention Unit at Grady Memorial Hospital. At the latter location, the Special Agent interviewed [redacted] who appeared to be suffering from withdrawal of narcotics.

[redacted]
ASSASSINATION OF FORMER
PRESIDENT JOHN F. KENNEDY
AND ALLEGED PLANS TO KILL
GOVERNOR OF GEORGIA

During the course of this interview, which consisted of only the Special Agent and [redacted] it was considered necessary by Atlanta Police Department Officers to keep [redacted] physically restrained with handcuffs. After advising [redacted] of the official identity of the Special Agent and reminding him that this interview was being conducted at his request which he had made through [redacted] made the statement that he fired shots to kill President Kennedy. He advised that he was in collusion with Lee Harvey Oswald and that he fired at the same time that Oswald did and that he was a part of a conspiracy involving Oswald, Jack Ruby, James Ferry (phonetic), Clay Shaw and Miguel Torex (phonetic) in the killing of Kennedy. [redacted] claimed to have fired a 30-30 Remington rifle at Kennedy.

[redacted] readily acknowledged that he was a user of all types of narcotics including heroin and at the present he was suffering as a result of a "bad trip" with LSD. During the course of this interview which lasted approximately twelve minutes, [redacted] described the intense pain that he was suffering and advised that the police and hospital staff were doing nothing to assist him. He stated as a result that his mind was very cloudy and that he had trouble organizing and expressing his thoughts.

[redacted] advised that his purpose for being in Atlanta was to carry out the underworld directed killing of a prominent political figure in Atlanta sometime prior to Christmas of 1971. When pressed for the name of his intended victim, [redacted] identified the intended victim as "the Governor". When asked if he meant the Governor of Georgia, [redacted] replied that he did. He was, however, unable to identify the Governor of Georgia by name. Subject advised that he was instructed to go to Atlanta and get set up for the killing by Rocco, whom he identified only as a white male of Italian extraction, age 38 to 40, who frequents the Topaz Lounge (phonetic), Canal Street area of New Orleans, Louisiana.

[redacted]
ASSASSINATION OF FORMER
PRESIDENT JOHN F. KENNEDY
AND ALLEGED PLANS TO KILL
GOVERNOR OF GEORGIA

Subject advised he was being held "on a bum rap" by the Atlanta Police Department on charges of kidnapping and armed robbery. He is alleged to have held a knife against a person and forced that person to go to a bank and withdraw fifty dollars. [redacted] stated that this was untrue because at the time he did not have a "shaft".

When asked why he desired to furnish this information to the FBI, subject stated that if he was released by the Atlanta Police Department he could be put on the street where he could "circulate" and thereby help the FBI in stopping the plot to kill the Governor.

LA
GA

B. APPROX. [redacted]

The subject was unsure of his birth date but states that he was born at Washington, D. C., and that he attended Woodrow Wilson High School at Washington, D. C. The subject is further described as a white male, age 32, five foot eight inches, 180 pounds, muscular build, black hair and numerous tattoos on both arms. Subject claims to be formerly incarcerated at New Orleans Parish Jail by Warden Falkenberg (phonetic).

The Atlanta Police Department was aware of the subject's statements regarding the alleged plot to assassinate a political figure and other claims made by the subject.

Inquiry at the Station Captain's Office of the Atlanta Police Department disclosed that the subject was arrested on July 2, 1971, on armed robbery and kidnapping charges in Atlanta and will not be admitted to bail.

At 7:00 p.m., on July 6, 1971, the above information was furnished to Special Agent John Cook of the U. S. Secret Service in Atlanta and to Georgia State Patrolman McDermid, assigned to the Governor's Mansion in Atlanta, Georgia.

UNITED STATES GOVERNMENT

Memorandum

TO : MR. WALTERS DATE: 7/15/71

FROM : C. A. Harris

SUBJECT: MARINA N. OSWALD PORTER, ET AL V.
UNITED STATES - USDC ND TEXAS
CIVIL ACTION NO. CA-3-4247-C

In March, 1971, we received a letter from the Department indicating Marina N. Oswald Porter is suing the United States Government claiming we damaged certain personal papers belonging to her former husband, Lee Harvey Oswald, which were seized after he was taken into custody as a suspect in the assassination of President John F. Kennedy. Items in litigation were subjected to a test for latent fingerprints utilizing the iodine fuming, ninhydrin, and silver nitrate processes. Latter does cause a discoloration which becomes more pronounced as time passes. Mrs. Porter is contending that the documents now have considerable historical value.

Department's letter was answered on 3/26/71 describing our procedures in processing documents. Departmental attorney Irwin Goldbloom has now requested execution of affidavit (copy attached) by Latent Examiner Ronald G. Wittmus to use in the Government's defense of this case. Affidavit sets forth chemical processing used, the fact that some staining might result and further that processing by the methods named is an accepted law enforcement laboratory technique. Attorney Goldbloom stated he anticipates no problems in winning the case for the Government. The wording of the affidavit was coordinated with Office of Legal Counsel and thereupon executed by Examiner Wittmus.

ACTION: EX-104 REC-59 1-7022 22 JUL 27 1971

For information and record purposes.

Enclosure
ENCLOSURE ATTACHED
ENCLOSURE

CAH:jds
(3)

02 AUG 3 1971

PERS. REC. UNIT

Washington)
) ss.
District of Columbia)

AFFIDAVIT

Ronald G. Wittmus, being first duly sworn, deposes and says:

1. I am a Fingerprint Examiner employed by the Federal Bureau of Investigation, United States Department of Justice, Washington, D.C. I have held the position of Fingerprint Examiner since 1947 and have been employed by the Federal Bureau of Investigation since 1939.

2. In connection with the investigation of the assassination of President John F. Kennedy many paper specimens were submitted to the FBI Identification Division, Latent Fingerprint Section, for latent fingerprint examination. Such examination was conducted by myself and others employed by the Federal Bureau of Investigation in the Latent Fingerprint Section.

3. The term "latent" as applied to fingerprints relates to those fingerprints which may be left on paper, cardboard, unpainted wood or other absorbent surfaces through normal perspiration exuded by pores on the finger

ridges or by oily matter present on the ridges. The development of latent fingerprint impressions involves more complicated techniques than just the use of fingerprint powder. Latent fingerprints are usually not visible on paper, and must be made visible by the use of various chemical processes. Three separate chemical processes are used for the development of latent fingerprints. These processes are: (1) Iodine fuming; (2) Ninhydrin solution; and (3) a silver nitrate solution. Each of these chemical processes reacts to a specific substance which may be present in the latent fingerprint. The chemical processing of paper for the development of latent fingerprints may result in the staining of paper specimens as well as the alteration of the appearance of the documents during the processing such as, for example, if washable inks are present on the document.

4. The chemical processing by the three methods referred to above is an accepted law enforcement laboratory technique which is performed daily by the FBI in its laboratories on a heavy volume basis in examining possible evidence in cases of criminal activity. My associates and I at the FBI Identification Division examined much of the documentary evidence which related to the investigation of the assassination of President John F. Kennedy shortly after the assassination. I determined that it

was necessary to utilize the above-mentioned chemical processes on the documents in order to determine whether any latent fingerprints were on the documents.

RONALD G. WITTNUS

Subscribed and sworn to before me, a notary public in and for the District of Columbia, on this _____ day of July, 1971.

Notary Public

My commission expires: _____

FBI

Date: 7/22/71

Transmit the following in _____ (Type in plaintext or code)

Via AIRTEL _____ (Priority)

TO: Director, FBI (62-109060)

FROM: SAC, New Orleans (89-69) (P)

ASSASSINATION OF PRESIDENT JOHN FITZGERALD KENNEDY, DALLAS, TEXAS, NOVEMBER 22, 1963
MISC. - INFORMATION CONCERNING
OO: Dallas

Enclosed for the Bureau are two newspaper articles appearing in the New Orleans Times-Picayune concerning above-captioned matter.

One copy each of these articles is enclosed for Dallas and Miami.

2 - Bureau (Enc. 2) ENCLOSURE
1 - Dallas (89-43) (Enc. 2)
1 - Miami (Enc. 2)
1 - New Orleans
ECW:bs
(5)

62-109060-
NOT RECORDED
18 JUL 24 1971

Approved: AUG 2 1971 Special Agent in Charge

Sent _____ M Per _____

FD-350 (Rev. 7-18-63)

(Mount Clipping in Space Below)

LANDRIEU PICKS SHAW FOR BOARD

Appointment Not Subject to City Council OK

Clay Shaw Monday was appointed by Mayor Moon Landrieu to the board of directors of the French Market Corp.

Shaw, the man District Attorney Jim Garrison tried unsuccessfully to convict on a charge of plotting to assassinate former President John F. Kennedy, is a native New Orleanian and a former managing director of the International Trade Mart. He also has served as acting managing director of International House, program director for the Foreign Policy Association of New Orleans and secretary to the Mississippi Valley World Trade Council.

Although Landrieu made no comment about the Shaw trial, when he was a candidate for mayor in the 1969 Democratic primary, he endorsed Harry Connick, one of Garrison's opponents for district attorney. Garrison won nomination in the primary and was re-elected in the general election without opposition.

Shaw said of his appointment, "I'm very pleased, of course. The French Quarter has many problems. I hope I can be helpful."

Asked if he thinks this is a step toward a new life in New Orleans after the Kennedy case, he said, "No comment."

CITY-OWNED AGENCY

The French Market Corp. is a city-owned agency. The Shaw appointment is not subject to confirmation by the City Council. Board members serve at the discretion of the mayor.

No salary goes with the position on the city-owned agency, officials said.

The agency regulates activities of the famed French Quarter Market, including leases for use of the historic city-owned buildings.

In making the appointment, the mayor said that in addition to his trade activities, Shaw is widely known as a pioneer in the rehabilitation and restoration of the French Quarter. Between 1949 and 1960 he restored some 15 structures in the Quarter, Landrieu recalled.

Landrieu also announced the reappointment of August Perez Jr. as a member of the City Planning Commission and the appointments of three persons to the city welfare board, all of which are subject to councilmanic approval.

Perez, whose new term will run through June 30, 1980, is a former commission chairman. A native of New Orleans, he is a practicing architect and graduate in architecture of Tulane University.

UNTIL JUNE, 1976

Those appointed to the welfare board were Mrs. Ruth Joiner, Mrs. Mary Ethel Siefker and Robert Green for terms running through June 30, 1976.

Mrs. Joiner is chairman of the St. Bernard Area Welfare Rights Organization and is vice-president of the New Orleans Tenants Organization and chairman of Concerned Sisters of St. Bernard Tenants. She is the mother of six children.

Mrs. Siefken, who is the mother of four children, is a graduate in education of Maryville College of St. Louis University. She is president of the Independent Women's Organization and is legislative chairman for the American Association of University Women in New Orleans.

Green, a licensed funeral director, is a vice-president of the Louisiana AFL-CIO and a member of the Southeastern Louisiana Building Construction Council. He holds a bachelor of arts degree from Dillard University.

(Indicate page, name of newspaper, city and state.)

FRONT PAGE

SECTION 1

TIMES-PICAYUNE

NEW ORLEANS, LA.

Date: 7/20/71

Edition:

Author:

Editor: GEORGE E. HEALY, JR.

Title: CLAY SHAW

Character:

or

Classification: 62-109060

Submitting Office:

☐ Being Investigated

62-109060-



CLAY SHAW

(Mount Clipping in Space Below)

DA INJUNCTION IS PERMANENT

West Rules in Andrews Perjury Case

Federal District Judge R. Blake West made permanent Wednesday a preliminary injunction blocking DA Jim Garrison from prosecuting attorney Dean A. Andrews on perjury charges stemming from the prosecution of Clay L. Shaw on a charge of conspiring to kill President John F. Kennedy.

Andrews was charged in bills of information filed in criminal district court charging that he lied when he appeared before a grand jury probing the assassination and that he testified falsely during Shaw's trial when he denied that Shaw or anyone else calling themselves "Clay Bertrand" called him and asked him to represent accused assassin Lee Harvey Oswald.

Federal District Judge James A. Comiskey issued a preliminary injunction against the prosecution of Andrews in March, 1970.

Michael F. Barry, representing Andrews, told Judge West that no attempts have been made to prosecute Andrews since the bills of information were filed.

Executive Asst. DA Frank Klein offered no opposition to the injunction being made permanent.

Andrews was convicted of perjury before another grand jury probing the assassination and sentenced to 18 months. That case is on appeal.

(Indicate page, name of newspaper, city and state.)

PAGE 10

SECTION 7

TIMES-PICAYUNE

NEW ORLEANS, LA.

Date: 7/22/71

Edition:

Author:

Editor: GEORGE T. HEALY, JR.

Title: ASSASINATION OF PRES. JOHN F. KENNEDY-DALLAS-11/22/63

Character:

or

Classification: 89-69A*

Submitting Office:

☐ Being Investigated

62-109060-

ENCLOSURE

FBI

Date: 7/8/71

Transmit the following in _____ (Type in plaintext or code)

Via AIRTEL _____ (Priority)

Mr. Felt
Mr. Sullivan
Mr. Mohr
Mr. Bishop
Mr. Brennan C.D.
Mr. Callahan
Mr. Casper
Mr. Conrad
Mr. Dalbey
Mr. Gale
Mr. Rosen
Mr. Tavel
Mr. Walters
Mr. Sovars
Tele. Room
Miss Holmes
Miss Gandy

TO: Director, FBI (62-109060)

FROM: SAC, New Orleans (89-69) (P)

ASSASSINATION OF PRESIDENT JOHN FITZGERALD KENNEDY, DALLAS, TEXAS, NOVEMBER 22, 1963
MISC. - INFORMATION CONCERNING
OO: Dallas

Enclosed for the Bureau is one copy each of seven charges filed by District Attorney JIM GARRISON against USA GERALD J. GALLINGHOUSE and JOHN WALL.

One copy each of these charges is enclosed for Dallas and Miami.

ENCLOSURE ATTACHED

EX-100
REC-37

62-109060-7021

ENCLOSURE

10 JUL 12 1971

2 - Bureau (Enc. 7)
1 - Dallas (89-43)(Enc. 7)
1 - Miami (Enc. 7)
1 - New Orleans (89-69)
ECW:bs
(5)

F216

JUL 20 1971

Special Agent in Charge

Sent _____ M Per _____

DATE July 6, 1971 ITEM NO. DIST.

ACCEPTED REFUSED OTHER

STATE OF LOUISIANA VS: LOCATION: BOND SUGGESTED

GERALD J. GALLINGHOUSE $5,000

New Orleans, La. B/I No.

JOHN WALL

New Orleans, La. B/I No. $5,000

B/I No.

ACTS: communicated threats to one PERSHING O. GERVAIS in order to obtain advantages from him so as to do harm to the District Attorney of New Orleans, and in order to impute disgrace to the said District Attorney.

ATE OF OFFENSE: Between 1/1/71 and 6/30/71 CHARGE: R.S. 14:66

THER REMARKS:

RREST NO. COMMITTING MAGISTRATE NO.

No. A 32113

ASSISTANT DISTRICT ATTORNEY

PARISH OF ORLEANS

The State of Louisiana } SS. CRIMINAL DISTRICT COURT FOR THE PARISH OF ORLEANS

221-745

JIM GARRISON, Assistant District Attorney for the Parish of Orleans, wh

the name and by the authority of the said State, prosecutes, in this behalf, in proper person comes

the Criminal District Court for the Parish of Orleans, in the Parish of Orleans, and gives the

Court here to understand and be informed that one _____

GERALD J. GALLINGHOUSE, the United States Attorney for the Eastern District of Louisiana, and one JOHN WALL, the alleged head of the so-called "federal task force", each

between the first day of January, 1971, and the

late of the Parish of Orleans, thirtieth day of June in the

of our Lord, one thousand nine hundred and seventy one with force and arms in the Pa

of Orleans aforesaid, and within the jurisdiction of the Criminal District Court for the Paris

Orleans, did wilfully and unlawfully violate R.S. 14:66 relative to

Extortion, in that they did communicate threats to one PERSHING O.

GERVAIS in order to obtain advantages from him so as to do harm to

the District Attorney of New Orleans, Jim Garrison, and in order to

impute disgrace to the said District Attorney,

contrary to the form of the Statute of the State of Louisiana in such case made and provided

against the peace and dignity of the same.

Assistant District Attorney for the Parish of O.

DISTRICT ATTORNEY

PARISH OF ORLEANS
2700 Tulane Avenue
NEW ORLEANS 70119

NO. 221-948

July 6, 1971 ITEM NO. DIST.

ACCEPTED REFUSED OTHER

E OF LOUISIANA VS: LOCATION: BOND SUGGESTED

GERALD J. GALLINGHOUSE $1,000

New Orleans, Louisiana B/I No.

JOHN HALL $1,000

New Orleans, Louisiana B/I No.

B/I No.

S: did incite a felony by endeavoring to incite REDMOND O. GERVAIS to attempt to persuade Jim Garrison, D.A. of New Orleans, to aid and abet violators of the law, including the planning false planting of false evidence on the premises of Jim Garrison, to-wit: 4600 Owens Blvd., New Orleans, La.

OF OFFENSE: Between 1/1/71 and 6/30/71 CHARGE: 14:28

REMARKS:

EST NO. COMMITTING MAGISTRATE NO.

D. A 32109

ASSISTANT DISTRICT ATTORNEY

The State of Louisiana } SS. PARISH OF ORLEANS

2-21-94

CRIMINAL DISTRICT COURT FOR THE PARISH OF ORLEANS

JIM GARRISON, District Attorney for the Parish of Orleans, wh

the name and by the authority of the said State, prosecutes, in this behalf, in proper person comes i

the Criminal District Court for the Parish of Orleans, in the Parish of Orleans, and gives the s

Court here to understand and be informed that one _____

GERALD J. GALLINGHOUSE, the United States Attorney for the Eastern District of Louisiana, and one

JOHN WALL, the alleged head of the so-called "federal task force", each

between the first day of January, 1971, and the

late of the Parish of Orleans, ~~on the~~ thirtieth day of June in the ye

of our Lord, one thousand nine hundred and seventy one with force and arms in the Pari

of Orleans aforesaid, and within the jurisdiction of the Criminal District Court for the Parish

Orleans, did wilfully and unlawfully incite a felony in that they endeavored to incite one PERSHING O. GERVAIS to attempt to persuade JIM GARRISON, the District Attorney of New Orleans, to aid and abet alleged violators of the law, including the planned false planting of false evidence on the premises of Jim Garrison, to-wit: 4600 Owens Boulevard, New Orleans, Louisiana,

contrary to the form of the Statute of the State of Louisiana in such case made and provided an

against the peace and dignity of the same.

District Attorney for the Parish of Orlean

DISTRICT ATTORNEY

PARISH OF ORLEANS
2700 Tulane Avenue
NEW ORLEANS 70119

D.A. NO. 221-946

DATE July 6, 1971 ITEM NO. DIST.

ACCEPTED REFUSED OTHER

STATE OF LOUISIANA VS: LOCATION: BOND SUGGESTED

1) GERALD J. GALLINGHOUSE $1,500

New Orleans, La. B/I No.

2) JOHN WALL $1,500

New Orleans, La. B/I No.

3) B/I No.

FACTS: did compound a felony by promising one PERSHING O. GERVAIS, havin knowledge of the commission of certain felonies by him, not to prosecu him for same.

DATE OF OFFENSE: Between 1/1/71 and 6/30/71 CHARGE: R.S. 14:131

OTHER REMARKS:

ARREST NO. COMMITTING MAGISTRATE NO.

No. A 32111

ASSISTANT DISTRICT ATTORNEY

The State of Louisiana } SS. CRIMINAL DISTRICT COURT FOR THE PARISH OF ORLEANS

221-276

JIM GARRISON, District Attorney for the Parish of Orleans, who in

the name and by the authority of the said State, prosecutes, in this behalf, in proper person comes into

the Criminal District Court for the Parish of Orleans, in the Parish of Orleans, and gives the sai

Court here to understand and be informed that one

GERALD J. GALLINGHOUSE, the United States Attorney for the Eastern District of Louisiana, and one

JOHN WALL, the alleged head of the so-called "federal task force", each

late of the Parish of Orleans, on the thirtieth day of June, in the y

of our Lord, one thousand nine hundred and seventy one, with force and arms in the Pa

of Orleans aforesaid, and within the jurisdiction of the Criminal District Court for the Paris

Orleans, did wilfully and unlawfully compound a felony in that they

promised one PERSHING O. GERVAIS, having knowledge of the commissi

of certain felonies by him, not to prosecute him for the same,

between the first day of January, 1971, and the

contrary to the form of the Statute of the State of Louisiana in such case made and

against the peace and dignity of the same.

District Attorney for the P

DISTRICT ATTORNEY

PARISH OF ORLEANS
2700 Tulane Avenue
NEW ORLEANS 70119

D.A. NO. 221-950

DATE July 6, 1971 ITEM NO. DIST.

ACCEPTED REFUSED OTHER

STATE OF LOUISIANA VS: LOCATION: BOND SUGGESTED

1) GERALD J. CALLINGHOUSE $250

New Orleans, La. B/I No.

2) JOHNALL $250

New Orleans, La. B/I No.

3)

B/I No.

FACTS: did use force and threats upon the District Attorney of New Orleans in order to influence his conduct in relation to his position and duty, namely the communication of certains truths to the people of the United States, which hitherto have been withheld from them by the federal government of the United States and its employees,

DATE OF OFFENSE: ...Between 1/1/71 and 6/30/71 CHARGE: R.S. 14:122

OTHER REMARKS:

ARREST NO. COMMITTING MAGISTRATE NO.

No. A 32114

PARISH OF ORLEANS

The State of Louisiana } SS.

221-758

CRIMINAL DISTRICT COURT FOR THE PARISH OF ORLEANS

JIM GARRISON, Assistant District Attorney for the Parish of Orleans, who in the name and by the authority of the said State, prosecutes, in this behalf, in proper person comes into the Criminal District Court for the Parish of Orleans, in the Parish of Orleans, and gives the said Court here to understand and be informed that one

GERALD J. GALLINGHOUSE, the United States Attorney for the Eastern District of Louisiana, and one
JOHN WALL, the alleged head of the so-called "federal task force", each

between the first day of January, 1971, and the date of the Parish of Orleans, xxxxx thirtieth day of June in the year of our Lord, one thousand nine hundred and seventy one with force and arms in the Parish of Orleans aforesaid, and within the jurisdiction of the Criminal District Court for the Parish of Orleans, did wilfully and unlawfully violate R.S. 14:122, relative to Public Intimidation in that they used force and threats upon the District Attorney of New Orleans, Jim Garrison, in order to influence his conduct in relation to his position and duty, namely the communication of certain truths to the people of the United States, which hitherto have been withheld from them by the federal government of the United States and its employees,

contrary to the form of the Statute of the State of Louisiana in such case made and provided and against the peace and dignity of the same.

Assistant District Attorney for the Parish of Orleans

DISTRICT ATTORNEY

PARISH OF ORLEANS
2700 Tulane Avenue
NEW ORLEANS 70119

D.A. NO. 221-947

DATE July 6, 1971 ITEM NO. DIST.

ACCEPTED REFUSED OTHER

STATE OF LOUISIANA VS:

GERALD J. CALLINGHOUSE LOCATION: BOND SUGGESTED

New Orleans, Louisiana B/I No. $500

JOHN HALL

New Orleans, Louisiana B/I No. $500

B/I No.

ACCUSED maliciously cause to be expressed and published false and defamatory matters tending to deprive the District Attorney of New Orleans of the benefit of public confidence, and to injure him in his profession and occupation

Between 1/1/71 and 6/30/71
TE OF OFFENSE: CHARGE: R.S. 14:47

HER REMARKS:

REST NO. COMMITTING MAGISTRATE NO.

No. A 32110

PARISH OF ORLEANS

The State of Louisiana } SS.

221-947

JIM GARRISON,

CRIMINAL DISTRICT COURT FOR THE PARISH OF ORLEANS

District Attorney for the Parish of Orleans, who in the name and by the authority of the said State, prosecutes, in this behalf, in proper person comes into the Criminal District Court for the Parish of Orleans, in the Parish of Orleans, and gives the said Court here to understand and be informed that one

GERALD J. GALLINGHOUSE, the United States Attorney for the Eastern District of Louisiana, and one JOHN WALL, the alleged head of the so-called "federal task force", each,

between the first day of January, 1971, and the late of the Parish of Orleans, thirtieth day of June in the year of our Lord, one thousand nine hundred and seventy-one with force and arms in the Parish of Orleans aforesaid, and within the jurisdiction of the Criminal District Court for the Parish of Orleans, did wilfully and unlawfully violate R.S. 14:47 relative to Defamation in that they maliciously caused to be expressed and published false and defamatory matters tending to deprive the District Attorney of New Orleans, Jim Garrison, of the benefit of public confidence, and to injure him in his profession and occupation,

contrary to the form of the Statute of the State of Louisiana in such case made and provided and against the peace and dignity of the same.

District Attorney for the Parish of Orleans

DISTRICT ATTORNEY

PARISH OF ORLEANS
2700 Tulane Avenue
NEW ORLEANS 70119

L NO. 221-949

E: July 6, 1971 ITEM NO. DIST.

ACCEPTED REFUSED OTHER

TE OF LOUISIANA VS: LOCATION: BOND SUGGESTED

GERALD J. GALLINGHOUSE $500

New Orleans, La. B/I No.

JOHN WALL $500

New Orleans, La. B/I No.

B/I No.

TS: Relative to Malfeasance in Office

E OF OFFENSE: Between 1/1/71 and 6/30/71 CHARGE: R.S. 14:134

A REMARKS:

IST NO. COMMITTING MAGISTRATE NO.

D. A 32115

ASSISTANT DISTRICT ATTORNEY

PARISH OF ORLEANS

The State of Louisiana } SS.

CRIMINAL DISTRICT COURT FOR THE PARISH OF ORLEANS

221-649

JIM GARRISON, District Attorney for the Parish of Orleans, who in the name and by the authority of the said State, prosecutes, in this behalf, in proper person comes into the Criminal District Court for the Parish of Orleans, in the Parish of Orleans, and gives the said Court here to understand and be informed that one

GERALD J. GALLINGHOUSE, the United States Attorney for the Eastern District of Louisiana, and one JOHN WALL, the alleged head of the so-called "federal task force", each

between the first day of January, 1971, and the late of the Parish of Orleans, thirtieth day of June in the year of our Lord, one thousand nine hundred and seventy one with force and arms in the Parish of Orleans aforesaid, and within the jurisdiction of the Criminal District Court for the Parish of Orleans, did wilfully and unlawfully violate R.S. 14:134 relative to malfeasance in office in that they did intentionally perform their various duties in an unlawful manner, and knowingly permitted other public officers and public employees under them, to intentionally perform their duties in an unlawful manner; all to the end and objective of aiding the federal government in its harassment of the District Attorney of New Orleans, Jim Garrison, and in order to inhibit and obstruct him from performing the duties of his office, among which are included the investigation of assassinations of Presidents of the United States when part of the preparation of an assassination occurred, in the District Attorney's judgment, within the City of New Orleans,

contrary to the form of the Statute of the State of Louisiana in such case made and provided and against the peace and dignity of the same.

Jim Garrison

District Attorney for the Parish of Orleans

DISTRICT ATTORNEY

PARISH OF ORLEANS
2700 Tulane Avenue
NEW ORLEANS 70119

D.A. NO. 221-944

DATE July 6, 1971 ITEM NO. DIST.

ACCEPTED REFUSED OTHER

STATE OF LOUISIANA VS:	LOCATION:	BOND SUGGESTED
1) GERALD J. GALLINGHOUSE		$500
New Orleans, La.		B/I No.
2) JOHN WALL		$500
New Orleans, La.		B/I No.
3)		B/I No.

FACTS: committed criminal mischief by intentionally giving a false report complaint to an officer of the law relative to alleged commission of, or attempted commission of, a crime by the District Attorney of New Orleans, well knowing all the while that each of their charges was false and fraudulent.

DATE OF OFFENSE: Between 1/1/71 and 6/30/71 CHARGE: R.S. 14:59

OTHER REMARKS:

ARREST NO. No. A 32112

COMMITTING MAGISTRATE NO.

Assist. District Attorney

PARISH OF ORLEANS

The State of Louisiana } SS.

221-944

CRIMINAL DISTRICT COURT FOR THE PARISH OF ORLEANS

JIM GARRISON, District Attorney for the Parish of Orleans, who i

the name and by the authority of the said State, prosecutes, in this behalf, in proper person comes int

the Criminal District Court for the Parish of Orleans, in the Parish of Orleans, and gives the sai

Court here to understand and be informed that one

GERALD J. GALLINGHOUSE, the United States Attorney for the Eastern District of Louisiana, and one JOHN WALL, the alleged head of the so-called "federal task force", each

between the first day of January, 1971, and the late of the Parish of Orleans, thirtieth day of June in the yea

of our Lord, one thousand nine hundred and seventy one with force and arms in the Paris

of Orleans aforesaid, and within the jurisdiction of the Criminal District Court for the Parish

Orleans, did wilfully and unlawfully violate R.S. 14:59, relative to

Criminal Mischief, in that they intentionally gave a false report or complaint to an officer of the law relative to alleged commission of, or attempted commission of, a crime by the District Attorney of New Orleans, Jim Garrison, well knowing all the while that each of their charges was false and fraudulent,

contrary to the form of the Statute of the State of Louisiana in such case made and provided a

against the peace and dignity of the same.

District Attorney for the Parish of Orle

FBI

Date: 8/2/71

Transmit the following in _____ (Type in plaintext or code)

Via AIRTEL _____ (Priority)

TO: DIRECTOR, FBI (62-109060)

FROM: SAC, BALTIMORE (89-30)

SUBJECT: ASSASSINATION OF PRESIDENT JOHN FITZGERALD KENNEDY
Dallas, Texas, November 22, 1963
OO: DALLAS

Enclosed for the Bureau are four copies of an LHM, captioned and dated as above, which is self-explanatory.

Enclosed for Dallas is one copy of instant LHM.

No further action is being taken by Baltimore, UACB.

SI-111

Dist to SS + C/A 8/5/71 REC-39 62-109060-7023

15 AUG 3 1971

2- Bureau (Enclosures 4)
1- Dallas (Enclosure 1)
1- Baltimore
LWH:nrj
(4)

ENCLOSURE

Nomenclature destroyed

53 AUG 12 1971 FJ80

Approved: _____ Sent _____ M Per _____

Special Agent in Charge

UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

Baltimore, Maryland

August 2, 1971

In Reply, Please Refer to File No.

89-30

RE: ASSASSINATION OF PRESIDENT JOHN FITZGERALD KENNEDY, DALLAS, TEXAS November 22, 1963

Mr. Sullivan
Mr. Mohr
Mr. Bishop
Mr. Brennan, C.D.
Mr. Callahan
Mr. Casper
Mr. Conrad
Mr. Dalbey
Mr. Gale
Mr. Ponder
Mr. Rosen
Mr. Tavel
Mr. Walters
Mr. Soyars
Tele. Room
Miss Holmes
Miss Gandy

On July 28, 1971, [redacted], Wilmington, Delaware, appeared at the Wilmington, Delaware Resident Agency of the Federal Bureau of Investigation (FBI), and provided the following information.

She was an employee of the Central Intelligence Agency [redacted]

In 1961, she was assigned to the Central Intelligence Agency in Paris, France.

[redacted] stated that she had previously supplied some of the following information to the Central Intelligence Agency in a letter to the Director of the Central Intelligence Agency in March, 1971. She stated that she has to date only received a short letter from the Central Intelligence Agency, and that her father had received a telephone call from a [redacted] concerning her letter. She related that she believes that the details of the following to be correct, and that she had voluntarily contacted a psychiatrist and had psychological testing performed, which she stated had resulted in the psychiatrist advising her that she is normal. She continued and advised that she is disgruntled with the way that the Central Intelligence Agency has handled the information which she provided, and insinuated that she intended to contact the newspapers in the near future with her information.

THIS DOCUMENT CONTAINS NEITHER RECOMMENDATIONS NOR CONCLUSIONS OF THE FBI. IT IS THE PROPERTY OF THE FBI AND IS LOANED TO YOUR AGENCY; IT AND ITS CONTENTS ARE NOT TO BE DISTRIBUTED OUTSIDE YOUR AGENCY.

ENCLOSURE

RE: ASSASSINATION OF PRESIDENT JOHN FITZGERALD KENNEDY, DALLAS, TEXAS November 22, 1963

[redacted] stated that the following information began coming back to her earlier this year, and credits her lapse of memory to a drug induced amnesia administered to her on order of a Central Intelligence Agency employee, [redacted]

During the week of March 21, 1961, after returning from lunch, she overheard a conversation between [redacted], and possibly [redacted], all employees of the Central Intelligence Agency, which took place in the Central Intelligence Agency Office located on the second floor of [redacted] Paris, France. She stated that she does not recall who was talking, but that the conversation concerned the fact that the President was not doing what was good for the country, especially about Vietnam, and that he had to be done away with within the next five years. She stated that following this remark, the group noticed that she had returned, and the conversation was terminated.

[redacted] stated that the following Friday, she was given U. S. Army orders by [redacted], the personnel officer, to travel to an unrecalled Army Medical Facility in Paris for a polio innoculation. She stated that upon arriving at the Medical Facility, she was injected with some type of drug which the Medical Technician, later told her was a drug which would make her forget everything.

[redacted] stated that she now recalls that the technician told her that she would even forget getting the shot, and that upon returning to her office, she was questioned about the injection by [redacted], and she remembers that she told him that apparently she had received a polio innoculation, but did not recall at that time receiving it.

RE: ASSASSINATION OF PRESIDENT JOHN
FITZGERALD KENNEDY, DALLAS, TEXAS
November 22, 1963

[redacted] stated that two weeks following this, she was telephonically contacted by [redacted] another employee of the Central Intelligence Agency, Paris, France, and told to come to his apartment for some emergency typing. She stated that upon arriving at [redacted] apartment she was met by [redacted] (Last name unknown, but beginning with "C"). These men began making sexual advances towards her, and she stated that she became extremely upset and begged to be allowed to go home. She was told that she could not go home in her distraught condition and was given a glass of water and told to relax. She stated that she lost consciousness for approximately ten to fifteen minutes and when she awoke she found herself in bed without clothes. She stated that she was then raped by [redacted] and [redacted] She stated that she told them that if [redacted] knew what was happening there would be a lot of trouble. One of them called [redacted] and he later appeared at the apartment and also raped her. She stated that later that evening she was taken to her apartment and put into her own bed.

[redacted] said that at a later date, exact time unknown, she again overheard a conversation between [redacted] and [redacted], concerning the fact that "Mr. Big" had ordered that anyone who knew of "the plans" should be killed. [redacted] stated during the conversation that nothing could be done about her while she was in Paris since there would be too many questions asked about her death in France.

[redacted]

8/3/71

AIRTEL

TO: DIRECTOR, FBI

FROM: SAC, DALLAS

SUBJECT: FREEDOM OF INFORMATION ACT -
APPEAL OF PAUL L. HOCH
Bufile 62-91830

ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY,
11/22/63
DALLAS, TEXAS
MISCELLANEOUS - INFORMATION CONCERNING
Dallas file 89-43 (P*)
Bufile 62-109060
New Orleans file 89-69

LEE HARVEY OSWALD, aka (Deceased)
IS - R - CUBA
Dallas file 100-10461 (C)
Bufile 105-82555
New Orleans file 100-16601

Re Bureau airtel to New Orleans and Dallas 7/28/71 bearing first of the above three captions.

New Orleans teletype to Bureau and Dallas 11/28/63 bearing second caption set forth above, set forth the results of interview with CARLOS QUIROGA which information he furnished on a strictly confidential basis inasmuch as his father was imprisoned in Cuba and his mother was still living there.

6 - Bureau
2 - New Orleans (1 - 89-69)(Info)
(1 - 100-16601)
2 - Dallas (1 - 89-43)
(1 - 100-10461)

RPG:jls
(10)

62-109060-
NOT RECORDED
102 AUG 11 1971

57 AUG 13 1971

ORIGINAL FILED IN 62-91830-129

By New Orleans airtel to Dallas dated 11/30/63 bearing second caption above, the New Orleans Office forwarded 25 copies of numerous inserts and FD-302s, one of which was an insert containing the interview with CARLOS QUIROGA set forth in the above referenced New Orleans teletype. This insert was included in the report of SA WARREN C. DE BRUEYS dated 12/2/63 at Dallas under the third captioned case.

The basis for Dallas documenting QUIROGA as a source who had furnished reliable information in the past was apparently the fact that New Orleans in its airtel had not indicated QUIROGA was known to be anything other than reliable and the fact that SA WARREN C. DE BRUEYS, the author of the report was then assigned to the New Orleans Division and on special assignment at Dallas.

FBI

Date: 8/6/71

Transmit the following in _____ (Type in plaintext or code)

Via AIRTEL _____ (Priority)

TO: Director, FBI (62-109060)

FROM: SAC, New Orleans (89-69) (P)

ASSASSINATION OF PRESIDENT JOHN FITZGERALD KENNEDY, DALLAS, TEXAS, NOVEMBER 22, 1963.
MISC. - INFO CONCERNING
OO: Dallas

Enclosed for the Bureau is a newspaper article appearing in the New Orleans Times-Picayune concerning captioned matter.

One copy each of this newspaper article is enclosed for Dallas and Miami.

EX-115

REC-52 62-109060-7024

2 - Bureau (Enc. 1)
1 - Dallas (89-43) (Enc. 1)
1 - Miami (Enc. 1)
1 - New Orleans
ECW:bs
(5)

Enclosure

FIVE-BRANIGAN

16 AUG 9 1971

Approved: AUG 13 1971 Special Agent in Charge

Sent _____ M Per _____

(Mount Clipping in Space Below)

APPEAL MADE IN SHAW CASE

Garrison Opposes Ruling Against Perjury

The district court record in the case in which federal district Judge Herbert W. Christenberry enjoined District Attorney Jim Garrison from prosecuting businessman Clay L. Shaw on a perjury charge has been filed in the U.S. Fifth Circuit Court of Appeals — a step in the district attorney's attempt to upset the lower court ruling.

Fifth circuit attaches said that Garrison now has 35 days in which to file a brief and Shaw's attorneys will have an additional 20 days to answer.

After briefs are submitted, the court will decide whether it will hear oral arguments or place the case on its summary calendar for decision on briefs alone.

If a hearing is held, it will probably be in late fall, attaches said.

Garrison's prosecution of Shaw on the perjury charge grew out of Shaw's trial on charges of conspiring to assassinate President John F. Kennedy.

Shaw was acquitted, but Garrison later charged that he committed perjury during the trial by denying that he knew Lee Harvey Oswald, the accused assassin, and David W. Ferrie, another person who Garrison charged was part of the plot.

Shaw filed suit to block the perjury prosecution in federal court, and Judge Christenberry ruled that the prosecution constituted harassment and issued an injunction.

ENCLOSURE

(Indicate page, name of newspaper, city and state.)

PAGE 9

SECTION 1

TIMES-PICAYUNE

NEW ORLEANS, LA.

Date: 7/21/71
Edition:
Author:
Editor: GEORGE T. HEALY, JR.
Title: ASSASSINATION OF PRES. JOHN F. KENNEDY-DALLAS 11/22/63
Character:
or
Classification: 89-69A*
Submitting Office:

☐ Being Investigated

104

FBI

Date: 8/3/71

Transmit the following in _____ (Type in plaintext or code)

Via AIRTEL _____ (Priority)

Mr. Sullivan
Mr. Tolson
Mr. Bishop
Mr. Brennan C.D.
Mr. Callahan
Mr. Casper
Mr. Conrad
Mr. Dalbey
Mr. Gale
Mr. Ponder
Mr. Rosen
Mr. Tavel
Mr. Walters
Mr. Soyars
Tele. Room
Miss Holmes
Miss Gandy

TO: DIRECTOR, FBI (62-109060)

FROM: SAC, DALLAS (89-43)(P*)

SUBJECT: ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY,
11/22/63
DALLAS, TEXAS
MISCELLANEOUS - INFORMATION CONCERNING

OO: Dallas

Enclosed for the Bureau is the original of each of five newspaper clippings concerning the Texas Schoolbook Depository building in Dallas, Texas, from which site President KENNEDY was assassinated. The clippings are described as follows:

The Dallas Morning News, 7/27/71, captioned "Buyer of Book Depository Planning Display of Items";

The Dallas Morning News, 7/29/71, captioned "Take Over Depository, McKool Requests State";

The Dallas Times Herald, 8/1/71, captioned "Kennedy Museum or 'Trap'?";

The Dallas Morning News, 8/1/71, captioned "Mayhew vs. State - Depository Tug of War";

The Dallas Morning News, 7/23/71, captioned "JFK Museum Slated for Depository".

The above is for the information of the Bureau.

ENCLOSURE

REC 20 62-109060-7025

2 - Bureau (Enc.5)
1 - Dallas
RPG:jls
(3)

EX-105

AUG 5 1971

Approved: _____ Sent _____ M Per _____

Special Agent in Charge

(Mount Clipping in Space Below)

JFK Museum Slated for Depository

By TERRY KLIEWER
and BRYAN MARTIN

The infamous niche carved in hsitory for the old Texas Schoolbook Depository by accused Presidential assassin Lee Harvey Oswald apparently will be preserved, The News has learned.

Aubrey Mayhew of Nashville, Tenn., the building's owner since April of 1970, told The News recently he plans to turn the now-empty depository into a John F. Kennedy museum.

Although Mayhew refused to disclose any details of his plan for the buildisg at 411 Elm, he did say that his Nashville museum of JFK memorabilia has been closed about a year and the contents will be transferred here.

He also refused to say when the move will be or when the proposed museum will open.

When he bought the building more than a year ago for $650,000, the Nashville business executive had said he would not turn it into a museum.

He gave no clue as to why his plans have changed. Reports had circulated among those associated with Mayhew in Dallas that he planned to turn the 7-story structure into an office building.

Since he bought the building from former owner Col. D. Harold Byrd, a Dallas oilman-industrialist, Mayhew had dropped out of the public eye. Local sources report that he suffered a near-fatal auto accident during this time.

But a series of virtually unnoticed Dallas visits by Mayhew during the past few weeks, coupled with the schoolbook depository's recent move to the new location in the city, prompted local speculation that the new owner was finally preparing to unveil his plans.

The building, still locked and guarded, is ogled daily by hundreds of camera-toting Dallas sightseers. Across Houston Street from the depository is another privately owned museum that primarily contains pictures, film clips and newsstories of Kennedy's life and sudden death.

One source close to Mayhew told The News Mayhew plans to structure his own museum around a chronology of the late President's life.

Floors one through five would portray Kennedy's life from infancy to the Presidency. But the sixth floor would be left dramatically vacant. There, visitors could view the window from which the Warren Commission said $1.25-an-hour handyman Oswald fired Nov. 22, 1963, to kill Kennedy and seriously wound then-governor of Texas, John Connally.

Mayhew said in 1970 that the number of Kennedy-related letters, books and other items in his now-defunct Nashville museum "exceed 50,000" in number. Reportedly included in this inventory is a replica of the torpedo boat commanded by Kennedy during World War II.

Also at the time of purchase, Mayhew said he did not want the building, "turned into something gaudy." Sources here say he has indicated his intention to turn the depository into a first-rate, "historically significant" national museum, not a "tourist trap."

The building was vacated by the schoolbook depository in early July, when the textbook storage facilty was moved to new quarters on Ambassador Row.

(Indicate page, name of newspaper, city and state.)

10 "The Dallas Morning News" Dallas, Texas

Date: 7-23-71
Edition:
Author:
Editor: Jack B. Kruger
Title:

Character:
or
Classification:
Submitting Office: Dallas

☐ Being Investigated

ENCLOSURE 62-109060-70

(Mount Clipping in Space Below)

Mayhew vs. State

Depository Tug of War

By STEVE ISRAEL, Staff Writer

Aubrey Mayhew has "homesteaded" the old Texas Schoolbook Depository and defies State Sen. Mike McKool and the Texas Legislature to take it from him.

The former Nashville businessman who has been living in the building for two months said he will fight "to the end" before he will surrender the structure made infamous when Lee Harvey Oswald stood at a sixth floor window and fired the bullets which killed President John F. Kennedy and wounded Texas Gov. John B. Connally.

McKool, on being informed of Mayhew's position, said he will seek an appointment with the Kennedy Memorial Committee to institute eminent domain procedures.

Mayhew and McKool both want the building turned into a museum—Mayhew with an eye to profit and McKool with history in mind.

McKool said the depository "is something that belongs to the people and the state should be the one to build a Kennedy museum."

But Mayhew said he is stepping up efforts to get $2.5 million to convert the structure into a display case for 2000,000 items of Kennedy memorabilia he has collected since the assassination.

"This is my building and they don't have any right to claim it. This would be a police state and then I would leave the place," he continued.

Mayhew disputed claims he is a millionaire, say-

(Indicate page, name of newspaper, city and state.)

298 "The Dallas Morning News" Dallas, Texas

Date: 8-1-71
Edition:
Author:
Editor: Jack B. Kruger
Title:

Character:
or
Classification:
Submitting Office: Dallas

☐ Being Investigated

SEARCHED ____ INDEXED ____
SERIALIZED ____ FILED ____
AUG 2 - 1971
FBI — DALLAS

ENCLOSURE

62 [illegible] - 70 - 5

ing "I'm not broke either, but I can't personally finance this."

If he had the money, Mayhew said, his planned "Kennedy Memorial Center" could open in 30 days.

Mayhew disclosed he has been living in Dallas "six to eight months," without public knowledge.

He took up residence in one of the vacant Depository's offices several weeks ago, he said.

Mayhew said his museum would have "the total dignity of any federally supported institution such as Smithsonian."

State operation of the facility would cost taxpayers, even with free admission, he predicted.

His admission fee would be "less than any form of entertainment," he said.

Clipping in Space Below

~~Kennedy~~ Museum, Or 'Trap'?

By MARIANA GREENE
Staff Writer

Dallasites have a variety of opinions about whether the old Texas Schoolbook Depository building should become a state-owned site, honoring the memo-

Related story, Page 29-A.

ry of slain President John F. Kennedy, or a privately-owned tourist attraction.

Dallas State Sen. Mike McKool says the state should acquire the building, which has been purchased by Aubrey Mayhew of Nashville, Tenn.

A Times Herald "man on the street" survey shows those who oppose ownership by an individual say the dignity of the site might not be maintained. They fear the building would become a "tourist trap."

OTHERS criticized the state for failing to acquire the building when it was on the auction block. And some feel Mayhew is legally entitled to use the building in any manner he pleases.

"I don't think the man would turn the building into a tourist trap. The Kennedy family is too popular. A trashy, junky place would lessen the dignity of the Kennedys and make people mad. If he's a good businessman he won't do that," believes

1 The Dallas Times Herald Dallas, Texas

Date: 8-1-71
Edition:
Author:
Editor: Felix R. McKnight
Title:

Character:
or
Classification:
Submitting Office:

[ ] Being Investigated

SEARCHED ____ INDEXED ____
SERIALIZED ____ FILED ____
AUG 2 - 1971
FBI — DALLAS

ENCLOSURE 62-109060-705

Steve Bryant, a Southern Methodist University senior.

"The high reputation and respect given the Kennedys," he continued, "is an incentive for this man to put lots of money into the museum and make it equally respectable."

DAVE FLEISCHER, owner of Hub Bar-B-Que, does not think private ownership would make any difference.

"The state," he says, "should have bought the building when it had the opportunity. Since it didn't, it should leave well enough alone. How could the state acquire all the Kennedy objects this man has gathered?"

Willie J. Simpson, 2611 Guillot, has a differing view: "I think the state should try to run it. Just one individual would have one opinion how the museum would be operated, just one opinion how the Kennedy asassination should be presented."

"The man bought and paid for it. It's his building," says Mark Snyder, 307 N. Ervay.

"THE STATE should have done something about it sooner. He had the idea. He's entitled to it," he added emphatically.

Maurice Printing Co. employe Keith Graham agrees with Snyder.

"He (Mayhew) bought the building because he had the money. If a man has enough initiative to turn the building into a museum, if that's what he wants to do, it's his business. Texas would make a museum out of it, too, only gloriously. I don't believe we should try to take it away from him."

Graham's brother, Steve, disagrees, saying, "Texas should make a museum out of it. Mayhew is not from Dallas. He might present the city in a bad way. People from out of state don't like Dallas. This man might put us down."

(Mount Clipping in Space Below)

Take Over Depository, McKool Requests State

BY MARYLN SCHWARTZ

State Sen. Mike McKool has appealed to the John F. Kennedy Memorial Commission to turn the Texas School Book Depository Building into a state museum before it can be done "by private, commercial interests."

"I first introduced and sponsored the original legislation to make this building into a great museum," he told a press conference Wednesday. "However, the bill was amended to permit the John F. Kennedy Memorial Commission to decide what the memorial should be."

HE SAID AT THE time, "I predicted the historical value of the building was so demanding that if the State of Texas did provide such a museum, it would be done privately and commercially for profit. This is exactly what happened.

Nashville businessman Aubrey Mayhew purchased the building for $650,000 in 1970. He announced plans Monday to turn the depository into a privately owned Kennedy museum.

"I have not spoken to Mayhew and I don't mean this as a personal attack on his intent in starting the museum. I just think this building should be owned by the people of Texas," McKool said.

He said the state has the power to "condemn the building by eminent domain" and thus gain control of the property.

THE SENATOR said state ownership of the museum would give "added respect, dignity, protection and importance to the valued historical site."

Joining McKool at the press conference was State Sen. Charles Wilson of Lufkin, who originally opposed any move to turn the building into a historical site.

(Indicate page, name of newspaper, city and state.)

4D "The Dallas Morning News" Dallas, Texas

Date: 7-29-71
Edition:
Author:
Editor: Jack B. Kruger
Title:

Character:
or
Classification:
Submitting Office: Dallas

☐ Being Investigated

ENCLOSURE 62-109060

(Mount Clipping in Space Below)

Buyer of Book Depository Planning Display of Items

By MARYLN SCHWARTZ

The man who bought the Texas School Book Depository says he will turn the infamous building into a John F. Kennedy Museum because of an interest in history —not money.

"If all I cared about was money," Aubrey Mayhew of Nashville, Tenn., told The Dallas News Monday, "I'd have opened it up a long time ago. I could have just charged the people to walk in and look out the sixth floor window where Lee Harvey Oswald was supposed to have shot Kennedy and I could have made a fortune. But this is not going to be a cheap tourist trap. The Smithsonian Institution has told me I have the most extensive Kennedy collection in the world. Everything is authentic and will be placed in the museum because of its historical value."

Mayhew noted that John F. Kennedy was commander of two PT boats during his Naval career.

"One of them, PT-59, I have located and already acquired. It was like a chance in one million that we could locate that boat, but we did. The other is PT-109 which, of course, was sunk. I have hopes of recovering it and putting it in the collection."

He explained that the museum will also be a chronicle of the history of the entire Kennedy family.

On display will be correspondence between Jackie Kennedy and a department store when she tried to return an $18 sweater the President had given her as a gift.

"Mrs. Kennedy was trying to get a refund and, as things go in those kinds of matters, it required a bit of doing."

Mayhew, an executive with Certron Plastic Co. of California and Nashville, bought the Depository Building for $650,000 at auction in April, 1970.

He said he plans to spend about $2 million before the museum is completed and noted that new Kennedy memorabilia are being added everyday.

"Kennedy only went to one public school in his life and that was the first grade in Brookline, Mass. He had a teacher named Miss Barry who must have meant a lot to him. When he wrote his first book, 'While England Slept,' he sent her a copy and wrote an inscription on the inside. That was the first time she'd heard from him since the first grade. This book, with the inscription, will be in the collection."

Mayhew has also acquired the confectionery sugar Presidential seal that once graced the top of a cake wheeled into the National Guard Armory in Washington on the night of Kennedy's Inauguration.

"This was the largest of the inaugural balls and Kennedy himself was there for the cake cutting. A Marine lieutenant drew his sword and cut the cake, and at the same time slipped the Presidential seal off the top of the cake. He kept it. It has been preserved with chemicals and looks exactly as it did that night."

He said he hopes the museum will be ready to open in about a year.

(Indicate page, name of newspaper, city and state.)

10 "The Dallas Morning News" Dallas, Texas

Date: 7-27-71
Edition:
Author:
Editor: Jack B. Kruger
Title:

Character:
or
Classification:
Submitting Office: Dallas

☐ Being Investigated

ENCLOSURE

62-109060-70

FBI

Date: 8/4/71

Transmit the following in _____ (Type in plaintext or code)

Via AIRTEL _____ (Priority)

Mr. Tolson
Mr. Felt
Mr. Sullivan
Mr. Bishop
Mr. Brennan CD
Mr. Callahan
Mr. Casper
Mr. Conrad
Mr. Dalbey
Mr. Gale
Mr. Rosen
Mr. Tavel
Mr. Walters
Mr. Soyars
Tele. Room
Miss Holmes
Miss Gandy

TO: DIRECTOR, FBI (62-109060)

FROM: SAC, HOUSTON (62-2115) (RUC)

SUBJECT: ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY,
11/22/63
DALLAS, TEXAS
MISC - INFO CONCERNING
(OO: DL)

Enclosed for the Bureau is one 8 mm color movie film reflecting captioned assassination.

[redacted] made available enclosed film on evening of 7/30/71. Film viewed at Houston on 8/2/71 for verification.

Source advised that he bought same for $25.00 from one [redacted] an anesthesiologist, who works at the Brown-Fondren Building of the Methodist Hospital, 6516 Bertner, Houston, Texas. Source states that [redacted] wants to prove to the American people that President KENNEDY was also shot from the front and that [redacted] is using film to prove this point as President KENNEDY's head appears to move backward sharply after being shot in one scene of the film.

Source states that [redacted] alleges to have other copies of this film which he is going to sell at $25.00 each.

Houston indices negative re [redacted] who is described as follows:

REC-50 107060-7026

2 - Bureau (Enc-1)
2 - Dallas
1 - Houston
HQC/sjm
(5)

1 ENCLOSURE (movie film)

EX-105

AUG 7 1971

Approved: _____ Sent _____ M Per _____

Special Agent in Charge

HO 62-2115

Name	[redacted]
Race	White
Sex	Male
Age	22 - 23
Height	5'6"
Weight	135 - 140 pounds
Build	Slender
Hair	Blondish, shoulder length
Eyes	Blue
Marks	None known
Occupation	[redacted]
Employment	Methodist Hospital, 6516 Bertner, Houston, Texas

The enclosure need not be returned to Houston and may be retained in Bureau files.

SAC, Dallas

8-10-71

Director, FBI

1- Mr. Rowse

ASSASSINATION OF
PRESIDENT JOHN FITZGERALD KENNEDY,
11-22-63
DALLAS, TEXAS
MISC - INFO CONCERNING
OO: DALLAS

Re Houston airtel, 8-4-71.

The 8 mm movie film furnished by the Houston Office as an enclosure to re airtel has been examined by the FBI Laboratory. It was determined to be a very poor copy (in color) of the Zapruder film which has previously been extensively examined by the FBI Laboratory and Warren Commission. This film has received wide publicity, primarily through "Life" magazine.

REC-24 62-109060-7027

2- Houston (62-2115)

HGR:vrh/
(6)

20 AUG 11 1971

EX-112

MAILED 18
AUG 10 1971
FBI

NOTE: This concerns an 8 mm movie film of the assassination of President Kennedy, furnished by an informant of the Houston Office. Informant advised he obtained film from an employee of the Parkland Hospital in Dallas who wants to prove to the American people that President Kennedy was also shot from the front; and he is using this film to prove his point.

61 AUG 16 1971

MAIL ROOM ☒ TELETYPE UNIT ☐

GENERAL INVESTIGATIVE DIVISION

This concerns an 8 millimeter movie film of the assassination of President Kennedy furnished by an informant of our Houston Office. Informant advised he obtained film from an employee of the Methodist Hospital, Houston, Texas, who wants to prove to the American people that President Kennedy was also shot from the front, and he is using film to prove this point.

The FBI Laboratory has examined the film and determined it to be a very poor copy (in color) of the Zapruder film which has previously been extensively examined by the FBI Laboratory and Warren Commission. This film has received wide publicity, primarily through "Life" magazine. Our Dallas and Houston Offices are being advised.

HGR:bkc

FBI

Date: 8/26/71

Transmit the following in _____ (Type in plaintext or code)

Via AIRTEL _____ (Priority)

TO: DIRECTOR, FBI (62-109060)

FROM: SAC, DALLAS (89-43)(P*)

SUBJECT: ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY
11/22/63
Dallas, Texas
MISCELLANEOUS - INFORMATION CONCERNING

OO: Dallas

Enclosed for the Bureau is one copy of newspaper clipping from "The Dallas Morning News" under date of 8/21/71 captioned "JFK Commission Seeks Depository". This article deals with efforts of a JOHN F. KENNEDY Memorial Commission petitioning the Texas Legislature to endeavor to obtain the power of eminent domain and necessary funds to purchase the Texas School Book Depository to create an museum.

The above is for the information of the Bureau.

EX-100

REC-89
62-109060-7028

ENCLOSURE

(2) - Bureau (Enc.1)
1 - Dallas
RPG:jls
(3)

AUG 30 1971

SIX
CRIME RESEARCH

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

07 SEP7 1971

(Mount Clipping in Space Below)

JFK Commission Seeks Depository

By MARVLN SCHWARTZ

That John F. Kennedy Memorial Commission voted to petition the Texas Legislature to grant the commission the power of eminent domain and the necessary funds to purchase the Texas School Book Depository Building.

The commission acted upon a resolution from State Sen. Mike McKool, who appeared before the group asking that the action be taken "before the property can be turned into a commercial museum for profit."

Nashville businessman Aubrey Mayhew bought the building in auction in 1970 for $650,000. He has announced plans to turn the building into a John F. Kennedy Museum. He has also stated that he will shortly open up the sixth floor of the depository building for viewing by the public on an admission basis.

Both the commission and McKool state they have not been in contact with Mayhew concerning the matter and do not know whether he will be willing to sell the building to the Commission.

"If not," said McKool, "what this power of eminent domain will give the commission is the power of comdemnation. But this does not mean it will be taking anything away from anybody, but that it will only have to pay the fair market price for it. Without this, if the commission just negotiated on its own, the price could get out of reason."

The sixth floor of the building is the spot where accused assassin Lee Harvey Oswald allegedly fired the shots that killed John F. Kennedy.

McKool noted in his resolution that the building would be the logical choice for a museum to memorialize Kennedy but that such a museum of great historical value should belong to the people of Texas and more respect, dignity and good taste can be shown through state ownership and operation."

Commission chairman Raymond Nasher noted that the petition to the Legislature should clearly state that the purchase should not cost the taxpayers of Texas any money in that a reasonable charge can be made to those using the facility (in the same manner as the Dallas-Fort Worth Toll Road) until the state has been reimbursed of all its initial investment.

McKool told the commission he felt between one and two million dollars would be the cost involved in purchasing the building and establishing the museum.

The commission agreed that the first step would be to purchase the building and the decision on what to put in it should come after that.

The commission also offered a second petition passed on to the legislature asking that the commission also be given the power to establish other forms of "living" memorials to Kennedy.

Nasher noted that such things that have been considered are a JFK graduate school within an existing school in the area; a program of vocational training, scholarships promoting excellence in education, internships in the study of government in the State of Texas and a youth crime prevention program, all to be established in the memory of JFK.

(Indicate page, name of newspaper, city and state.)

4A "The Dallas Morning News" Dallas, Texas

Date: 8-21-71

Edition:

Author:

Editor: Jack B. Kruger

Title:

Character:

or

Classification:

Submitting Office: Dallas

☐ Being Investigated

ENCLOSURE 62-109060

-702

1 - Mr. Sullivan
1 - Mr. Bishop
1 - Mr. Rosen (Attn: Mr. Schutz)
1 - Mr. Conrad
1 - Mr. Gallagher
1 - Mr. Heiberger
1 - Mr. Griffith 1 - Mr. Frazier

EX-102

CC-35 62-109060-7029

September 9, 1971

Airmail

Dr. John Nichols
University of Kansas Medical Center
School of Medicine
Department of Pathology and Oncology
Rainbow Boulevard at 39th Street
Kansas City, Kansas 66103

Dear Sir:

Reference is made to your letter of August 23, 1971.

Warren Commission Exhibit CE 399, a bullet involved in the assassination of President John F. Kennedy, weighed 158.6 grains when received in the FBI Laboratory. A very small quantity of metal was removed from the bullet for analysis. You may desire to contact the National Archives, Washington, D. C., where the CE 399 bullet is presently maintained, to ascertain its present weight.

MAILED 11
SEP 9 - 1971
FBI

Very truly yours,

J. Edgar Hoover

John Edgar Hoover
Director

1 - Kansas City (with copy of incoming)

RAF:WDG:cs:mb (11)

(See note page 2)

Tolson
Sullivan
Bishop
Brennan, C.D.
Callahan
Casper
Conrad
Dalbey
Gale
Rosen
Tavel
Walters
Soyars
Tele. Room
Holmes
Gandy

SEP 20 1971

MAIL ROOM ☐ TELETYPE UNIT ☐

Dr. John Nichols

NOTE: The CE 399 bullet referred to is the nearly pristine bullet recovered from a stretcher in Parkland Hospital, Dallas, Texas, immediately after assassination of President Kennedy and wounding of Governor John Connally (now Secretary of the Treasury). Dr. Nichols has previously corresponded with the Bureau concerning his medical studies which have apparently convinced him President Kennedy was shot at least once from the front, instead of only from the rear as found by the Warren Commission. He so testified at the conspiracy trial of Clay Shaw in State Court, New Orleans, when called by District Attorney James Garrison. We have assiduously avoided discussing any of the medical aspects of the assassination with Dr. Nichols.

Dr. Nichols has brought an unsuccessful (to date) suit against the Government under the Public Information Law for the notes and work papers of the FBI Laboratory examiners concerning their spectrographic analysis of the bullets recovered in the assassination. Dr. Nichols has corresponded with the Bureau numerous times, has made frivolous if not derogatory, statements concerning Agents of our Kansas City Office and has been characterized as "... an extremely arrogant, loud-mouthed individual ....." In view of this the reply to him is intentionally cryptic. In view of the background of this individual in the assassination file, an extensive file review was required preparatory to handling instant correspondence. For example, serial 62-109060-6484 (memorandum White to Conrad dated 6-13-68) recommended and the Bureau approved that a letter dated 6-8-68 from Nichols (the 6th in a series) not be acknowledged at that time because of the background of Nichols.

WDG:mb

THE UNIVERSITY OF KANSAS MEDICAL CENTER
RAINBOW BOULEVARD AT 39TH STREET
KANSAS CITY, KANSAS 66103 • AREA CODE 913 • 236-5252

SCHOOL OF MEDICINE
DEPARTMENT OF PATHOLOGY AND ONCOLOGY

August 23, 1971

Frazier
Gr[illegible]
Hi[illegible]

J. Edgar Hoover, Esq., Director
Federal Bureau of Investigation
Washington, D.C. 20535

Re: Assassination of the late
President John F. Kennedy

Dear Mr. Hoover:

I am writing to learn:

(a) the weight of the metal shaved from the nose of C E 399 for spectrographic analysis, and
(b) the weight of the remaining unused metal.

Shall look forward to hearing from you.

Sincerely,

John Nichols, M. D.

ack 9/9/71 RAF:mas:cs:mk

EX-102
REC-35 62-109060-70

10 SEP 14 1971

UNITED STATES GOVERNMENT

Memorandum

TO : Director, FBI (62-109060)

DATE: 9/21/71

FROM : Legat, London (62-358) (P)

SUBJECT: ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY,
DALLAS, TEXAS, 11/22/63
MISC. - INFO. CONCERNING

Enclosed herewith are two copies of communications as follows:

(1) Memorandum from American Consul, Belfast, Northern Ireland, dated 9/16/71.

[redacted]

Upon receipt of information from the RUC, I will make a recommendation as to whether or not I should contact Burns.

3 - Bureau (Enc. 4)
1 - Foreign Liaison Desk
1 - London
JTM:vw
(5)

EX-102

REC-53 62-109060-7030

6 SEP 30 1971

Rec'd letter + Enclosures DALLAS by 6-7 10-5-71 BNC/

5 OCT 7 1971

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

EMBASSY OF THE
UNITED STATES OF AMERICA

Grosvenor Square
London W1A 1AE

September 21, 1971

[redacted]

ENCLOSURE 6-1-0-1 ACC-1130

UNCLASSIFIED AIR POUCH

OPERATIONS MEMORANDUM

TO: Amembassy LONDON (COUNSELOR FOR CONSULAR AFFAIRS) DATE: September 16, 1971

FROM: Amconsul BELFAST

SUBJECT: Possible New Evidence on the Assassination of President Kennedy.

REF: --

[redacted]

BJFennell/dmcp

UNCLASSIFIED

FORM DS-608
9-68

ENCLOSURE 1

FD-36 (Rev. 5-22-64)

REC-53

FBI

Date: 9/28/71

Transmit the following in _____ (Type in plaintext or code)

Via AIRTEL _____ (Priority)

TO: DIRECTOR, FBI (62-109060)

FROM: SAC, DALLAS (89-43) (P*)

SUBJECT: ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY
11/22/63
Dallas, Texas
MISCELLANEOUS - INFORMATION CONCERNING

OO: DALLAS

Enclosed for the Bureau is one copy of a newspaper clipping from "The Dallas Morning News" under date of 9/11/71, captioned "Prof Upholds Warren Report". This article reflects that Dr. JACOB COHEN, Brandeis University professor, had appeared in Dallas on 9/10/71, and addressed the fall meeting of the Dallas Chapter, Brandeis University National Women's Committee and had stated that the Warren Commission report was correct in every major conclusion.

The above is for the information of the Bureau.

X-102

REC-53 62-109060-7031

ENCLOSURE

2 - Bureau (Enc. 1)
1 - Dallas
RPG:pkp
(3)

OCT 1 1971

98 OCT 8 - 1971 F45

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

(Mount Clipping in Space Below)

Prof Upholds Warren Report

by TERRY KLIEWER

Dr. Jacob Cohen, a 38-year-old Brandeis University professor, has reached what he terms a startlinig conclusion about the 1963 assassination of President Kennedy in Dallas.

"That conclusion is that the Warren Commission report was correct in every major conclusion," he told newsmen at the Dallas Press Club Friday.

He said he is convinced the murder was not the result of any conspiracy but the work of a single disturbed individual, Lee Harvey Oswald.

But he said his decision to accept the Warren report is highly unusual since most of the rest of the nation seems prepared to believe the government statement is incorrect.

He said the nation is in a mood to mistrust the government, but he protested the assassination "is a matter of fact and not of opinion."

"And there's no way to sound anything but dogmatic when discussing a matter of fact," he noted.

He said his own investigation of the Warren report has convinced him that every contradictory theory is unfounded.

He especially criticized writer Mark Lane, who lashed out against the report in his book, "Rush to Judgment." He charged Lane with "setting up straw men" in his attack on the report's findings.

He said the only questionable points in the Warren report are the absence of the X rays aken of Kennedy's body at Bethesda Naval Hospital in Maryland and the inadequate investigation made into Oswald's personal background.

Cohen said he has now learned that the Kennedy family requested the X rays be withheld from the public, but his questions about Oswald persist.

Cohen is currently in line with thousands of other scholars awaiting the Oct. 29 release of the autopsy photos

[illegible] Kennedy at Bethes-
[illegible] an [illegible] pers of the photos are
[illegible] ed [illegible] refully screened.
[illegible] g [illegible] national distrust of
[illegible] n- [illegible] ral government, Coh-
[illegible] ct [illegible] arked, "There's a dif-
[illegible] en [illegible] between a stupid and
[illegible] r- [illegible] ier government—the
[illegible] n- [illegible] an government is
[illegible] pt- [illegible] ten stupid but certain-
[illegible] in [illegible] nister."

[illegible] ofessor in the Ameri-
[illegible] udies department at
[illegible] is, Cohen is a widely published author and nationally known lecturer. A self-styled liberal, he has worked as an editor for publications of CORE (Congress on Racial Equality) and written widely on black power, student unrest and Jewish life in America.

He visited Dallas Friday to address the fall meeting of the Dallas Chapter, Brandeis University National Women's Committee.

(Indicate page, name of newspaper, city and state.)

5A "The Dallas Morning News" Dallas, Texas

Date: 9-11-71
Edition:
Author:
Editor: Jack B. Kruge
Title:

Character:
or
Classification:
Submitting Office: Dallas

☐ Being Investigated

62-109[illegible]

7031

ENCLOSURE

EX-103

October 14, 1971

REC-32 62-109060-N.32

[redacted]

Pontiac, Michigan 48053

Dear Mr. Gohl:

In reply to your letter received on October 12th, the FBI, at the direction of President Johnson, conducted a prompt, intensive, objective and thorough investigation of the assassination of President Kennedy. The results of this investigation were reported to the Warren Commission, and not one shred of evidence has been developed to link any other person in a conspiracy with Lee Harvey Oswald to assassinate President Kennedy. All available evidence and facts point to one conclusion--that Oswald acted alone in his crime.

Sincerely yours,

J. Edgar Hoover

John Edgar Hoover
Director

NOTE: Correspondent not identifiable Bufiles.

EFT:bmv (3)

bmv

MAILED 8
OCT 14 1971
FBI

60 OCT 21 1971

MAIL ROOM ☐ TELETYPE UNIT ☐

[redacted]
Pontiac, Michigan 48053
October 7, 1971

Mr. J. Edgar Hoover, Director
Federal Bureau of Investigation
Washington, D. C.

Dear Mr. Hoover:

It has been brought to my attention that the file on the assassination of President Kennedy has been maintained in an open status ever since the day of the assassination. If this is true, why was it stated that the case was officially closed after the Warren Commission's report? Is it possible that now your department is saying that Lee Harvey Oswald was not the only assassin, or possibly not the assassin at all in this incident?

Since you and I live in a free and democratic society, I feel it is time that each citizen takes an interest and a real concern in crime that affects our country. I am sure that you, as director of a crime prevention and arrest unit, feel as I do about such actions.

As a concerned citizen, I am thus awaiting your reply about the above information which was brought to my attention.

Sincerely yours,

[redacted]

Acknowledged
10-14-71
ETT:lmw

CERTIFIED MAIL
No. 3[illegible]605

REC-32

16 OCT 15 1971

CORRESPONDENCE

FBI

Date: 10/22/71

Transmit the following in _____ (Type in plaintext or code)

Via AIRTEL _____ (Priority)

Mr. Tolson
Mr. Felt
Mr. Rosen
Mr. Mohr
Mr. Bishop
Mr. Miller, EE
Mr. Callahan
Mr. Casper
Mr. Conrad
Mr. Dalbey
Mr. Cleveland
Mr. Ponder
Mr. Bates
Mr. Tavel
Mr. Walters
Mr. Soyars
Tele. Room
Miss Holmes
Miss Gandy

TO: DIRECTOR, FBI (62-109060)

FROM: SAC, DALLAS (89-43)(P*)

SUBJECT: ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY
11/22/63
DALLAS, TEXAS
MISCELLANEOUS - INFORMATION CONCERNING

OO: Dallas

Enclosed for the Bureau is one copy of a newspaper article from "The Dallas Morning News" under date of 10/17/71 captioned "LBJ Had Worried About JFK Visit". This article reflects a summary of a portion of the book THE VANTAGE POINT by LYNDON B. JOHNSON

The above is for the information of the Bureau.

ENCLOSURE

EX-101

2 - Bureau (Enc. 1)
1 - Dallas
RPG:jls
(3)

REC-22 62-109060-7033

4 OCT 25 1971

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

1 NOV 4 1971

OCT 26 1971

(Mount Clipping in Space Below)

LBJ Had Worried About JFK Visit

Former President Relives That Grim November Day Kennedy Came to Dallas

(Indicate page, name of newspaper, city and state.)

1 "The Dallas Morning News" Dallas, Texas

Date: 10-17-71
Edition:
Author:
Editor: Jack B. Kruger
Title:

Character:
or
Classification:
Submitting Office:

☐ Being Investigated

ENCLOSURE
62-109060-1032

By LYNDON BAINES JOHNSON

"WE'RE GOING TO CARRY two states next year if we don't carry any others: Massachusetts and Texas."

The speaker was John F. Kennedy.

The time was Friday morning, Nov. 22, 1963.

I had gone to the President's eighth-floor suite in the Hotel Texas in Fort Worth to introduce my younger sister, Lucia Alexander, to him.

The President's spirits were high. He had come to Texas for politics, and

PART I: THE BEGINNING

the trip so far was successful — much more successful than I had expected. He had been warmly received everywhere he went.

THAT MORNING in Fort Worth he had already made two speeches, one to a large gathering in a parking lot across the street from the hotel, another to a chamber of commerce breakfast. Money and power were represented at the breakfast, but the parking lot audience — made up of workers, mothers, children — gave me assurance about the mood of Texas. Many of them had waited in a steady drizzle for more than an hour to hear him and to see Mrs. Kennedy.

"Where's Jackie?" someone in the crowd shouted.

"Mrs. Kennedy is organizing herself," the President said. "It takes longer, but of course she looks better than we do when she does it." The crowd loved this, and roared its approval.

NOW IT WAS TIME to leave for Dallas. John Kennedy was thinking about the future, about the approaching Presidential campaign and the necessity for carrying Texas. No one, including the President, considered his re-election to be a cinch. In fact, the President's ratings in the polls were as low as they had ever been.

The polls may have given him cause for gloom, but the people certainly did not.

That was obviously what he was thinking about when he remarked to me, cheerfully, that we would at least carry Massachusetts and Texas. They were the last words John Kennedy spoke to me.

"The Vantage Point," former President Lyndon B. Johnson's own story of his five years in the White House, is one of the key books of our time. In this highly personal record, which he has subtitled, "Perspectives of the Presidency: 1963-1969," the 36th Chief Executive recalls the glories and the agonies of the nation's highest office. Here is what Johnson himself felt about such vital issues as Vietnam, civil rights, the war on poverty, racial violence and other problems he faced during his 1,886 days in office. Here is a record of power, an accounting that is at once revealing and deeply felt, a rare look behind the Washington scene.

In this installment, the first in a 12-part series from "The Vantage Point," President Johnson recalls that grim November day in Dallas when he became the President of the United States.

We were scheduled to fly that afternoon from Dallas to Austin for a fund-raising dinner. That night the Kennedys were going to be our guests at the LBJ Ranch. We were eagerly looking forward to the visit.

MRS. JOHNSON AND I arrived at Dallas' Love Field aboard Air Force Two at 11:35 A.M. We joined the reception line to welcome the First Family when Air Force One touched down five minutes later.

There was a large, joyful crowd behind the fence, and when the Kennedys stepped out of the plane a great roar went up from thousands of throats. I remember thinking how radiant Mrs. Kennedy looked. The skies had cleared, the air was warm and the sun bright. Her pink suit and pink hat added to the beauty of the day. Someone in the reception line added the final touch by presenting her with a bouquet of dark red roses.

We took seats in the automobiles to begin the motorcade through town to the Trade Mart, where the President was scheduled to make a luncheon speech. President and Mrs. Kennedy got into the big presidential Lincoln.

Gov. John Connally of Texas and his wife, Nellie, were in the jump seats directly in front of them. On orders of the President, the famous "bubble top" had been removed from the car. It was a beautiful day and the President wanted no barriers between himself and the people.

In the front seat of our car were the driver, a Texas highway patrolman named Hurchel Jacks, and the Secret Service agent in charge of my detail, Rufus Youngblood. I was sitting in the right rear seat, Lady Bird was in the center, and Sen. Ralph Yarborough of Texas was in the left rear seat, directly behind the driver. It was approximately 11:55 a.m.

As we drove through the less populated areas, the crowds were thin. But I recall that even then the three of us commented on the visible enthusiasm of the people along the route and their obvious good wishes. Dallas has never been exactly a citadel of Democratic politics.

I HAD BEEN WORRIED about this visit—worried about the political climate; worried about the problems we might encounter.

A great deal has been written about the purpose of that fateful trip to Texas. Much of what has been written is wrong.

President Kennedy came to Texas to raise money for the Democratic campaign coffers and to pave the way for a Democratic victory in Texas in 1964. We were soon to be involved in a presidential election. We would need millions of dollars for the campaign, and the Democratic National Committee was still painfully in debt. The President hoped to raise several hundred thousand dollars in Texas.

Shortly before 12:30 p.m. the motorcade turned right on Houston Street and

then a block later made a sharp left turn on Elm Street, which would take us through the underpass and on to Stemmons Freeway, to the Trade Mart.

We were traveling about ten or fifteen miles per hour. Just after our car made the left turn at the top of Elm, I was startled by an explosion.

IN THE READING I have done since that day of horror, it is apparent that there were many reactions to the first shot. Some people thought it was a firecracker. Some thought it was a bomb. Some thought it was a truck backfiring. Some thought it might be a shot. Some were positive it was a shot.

I did not know what it was.

Agent Youngblood spun around, shoved me on the shoulder to push me down, and shouted to all of us, "Get down!" Almost in the same movement, he vaulted over the seat, pushed me to the floor, and sat on my right shoulder to keep me down and to protect me. Agent Youngblood's quick reaction was as brave an act as I have ever seen anyone perform. When a man, without a moment's thought or hesitation, places himself between you and a possible assassin's bullet, you know you have seen courage. And you never forget it.

I still was not clear about what was happening. I was bent down under the weight of Agent Youngblood's body, toward Lady Bird and Sen. Yarborough, and I remember turning my head to make sure that they were both down. They were. Agent Youngblood had seen to that.

AT SOME TIME in this sequence of events, I heard other explosions.

Then a voice came crackling over the radio system: "Let's get out of here."

Suddenly our car accelerated and we wheeled around the corner, careening over the curb—almost, it seemed to me, on two wheels. I was later told that we were traveling between 70 and 80 miles per hour.

There was some frantic conversation coming over Youngblood's radio and I heard him speaking into it several times. I asked him what had happened. He released his weight from me but still kept me in a crouching position on the floor. He said that he was not sure but that he had heard that the motorcade was headed for a hospital.

When Lady Bird and I got out, we were immediately surrounded by agents. Youngblood ordered us to follow them into the building, to stay close to them, and not to stop under any circumstances. We followed, almost in a trot.

OUR FIRST specific information came from Emory Roberts, the agent in charge of the White House detail. He said that President Kennedy had been wounded by gunshot and that his condition was quite serious. He added that Gov. Connally had also been injured. I was stunned.

The Secret Service now decided that we should leave the hospital and make plans to return to Washington immediately.

Agent Youngblood concurred. He said that no one knew whether the shooting was the work of one man or several men, or was part of a conspiracy to kill the top leadership of the country.

What does a man think about at such a time? Looking back on it now, it is impossible for me to re-create the thoughts and emotions that surged through me during the 45 terrible, interminable minutes that we spent in Parkland Hospital.

THE REPORTS on the President's condition became more discouraging by the minute. Agent Emory Roberts came in and said the President would not make it. Then Kenneth O'Donnell, the President's appointments secretary, came in and said the President was in a "bad way."

About 1:20 p.m. Central Standard Time O'Donnell informed us of the President's death. "He's gone," was all he said.

I found it hard to believe that this nightmare had actually happened. The violence of the whole episode was unreal, shocking, and incredible.

THE MOST URGENT MATTER, as far as the Secret Service was concerned, was getting me out of that hospital to a place where I could be better protected.

I asked what Mrs. Kennedy wanted to do. O'Donnell replied that Mrs. Kennedy would not leave the hospital without the President's body. He said that they were waiting for a casket. I could not desert Mrs. Kennedy in that situation and emphatically said so. I told O'Donnell that I would not return to Washington until Mrs. Kennedy was ready to go, and that we would carry the President's body back with us if that was what she wanted. I did agree to go immediately to Air Force One and to wait there until Mrs. Kennedy and the President's body were brought aboard the plane.

Our departure from the hospital was similar to our arrival: swift and tense. The journey to Love Field took less than ten minutes; but those few minutes were as crucial as any I have ever spent. I knew from the moment President Kennedy died that I must assume the awesome responsibility of uniting the country and moving toward the goals that he had set for us.

MOST OF ALL I realized that, ready or not, new and immeasurable duties had been thrust upon me. There were tasks to perform that only I had the authority to perform. A nation stunned, shaken to its very heart, had to be reassured that the government was not in a state of paralysis.

I realized that the staff and Secret Service had been right in insisting that I go to Air Force One immediately.

At first, Mrs. Johnson and I were ushered into the private quarters of the plane, which contained a bedroom and bathroom for the use of the President and his family. I told one of the agents that we preferred that these quarters be held for Mrs. Kennedy's use and we went forward to the crowded stateroom, which serves as the presidential office and sitting room aboard the plane. When I walked in, everyone stood up. I still recall the deep emotion I felt. I knew I had to call Atty. Gen. Robert Kennedy (in Washington) immediately.

I KNEW HOW grief-stricken the President's brother must have been and I tried to say something that would comfort him. In spite of his shock and sorrow he discussed the practical problems at hand with dispatch. Perhaps the full impact of his brother's death had not yet reached him. He said that the FBI had no indication as to the extent of the plot—if, indeed, there was a plot—but that it was gathering information as quickly as possible. We discussed the matter of my taking the oath of office. I told him that both the Secret Service and the members of the late President's staff felt that I should return to Washington at once.

Atty. Gen. Kennedy said he would look into the matter and report to me on whether the oath should be administered immediately or after we returned to Washington. He also said that he would provide us with the proper wording of the oath. (Later) he said that the oath of office should be administered immediately — before taking off for Washington—and that it could be administered by any judicial officer of the United States. The next call came from Deputy Atty. Gen. Nicholas Katzenbach calling, I presumed, at the Attorney General's direction. He dictated the wording of the oath of office to my personal secretary, Marie Fehmer.

I then called Irving Goldberg, a lawyer friend for many years. We agreed that Judge Sarah Hughes, whom President Kennedy had appointed to the U.S. District Court in Dallas, should be asked to administer the oath. Goldberg telephoned Judge Hughes at her office.

ABOUT 2:15 the moment arrived against which I had been steeling myself — and dreading to the depths of my being. Mrs. Kennedy was coming aboard with the President's body. Lady Bird and I went to the rear of the plane to meet her. I had not seen Mrs. Kennedy since morning, when we had gotten into our cars at the airport to begin the motorcade. I was shocked by the sight that confronted me. There stood that beautiful lady, with her white gloves, her pink suit, and her stockings caked with her husband's blood. There was a dazed look in her eyes.

I do not remember much of the conversation. It was not really a conversation, just clumsy, aching words of condolence and some half-finished, choked sentences in reply. Nothing anybody can say under such circumstances is the right thing to say, because no words can ever ease the pain. Men are not very good at such things.

At approximately 2:30 Judge Sarah Hughes was escorted into the plane. I thanked her for coming and told her we would be ready in a minute or two.

THE CROWDED STATEROOM was filling with more people. Members of the Kennedy staff, members of the press, members of Congress, members of my staff, and Secret Service agents squeezed into the small enclosure.

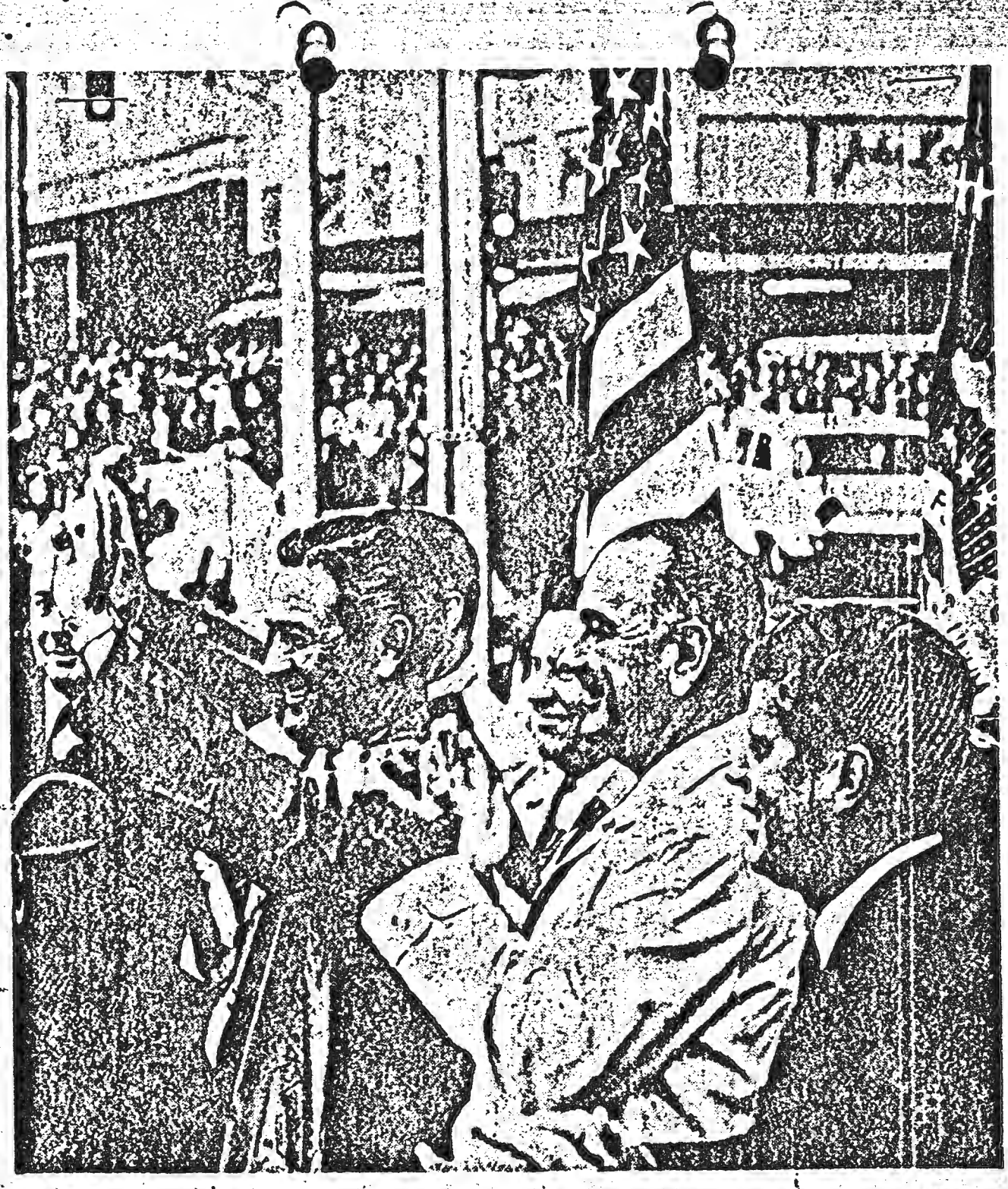
The air conditioning was not on and it was sweltering. Larry O'Brien went to look for a Bible, and he returned with a Catholic missal, unopened in its original box.

I asked Larry O'Brien to find out if Mrs. Kennedy wished to stand with us during the administration of the oath. A moment later she came out to join us—she standing on one side of me and Lady Bird on the other.

At approximately 2:40 p.m. I repeated the oath of office after Judge Hughes.

"I do solemnly swear that I will faithfully execute the office of President of the United States and will, to the best of my ability, preserve, protect, and defend the Constitution of the United States, so help me God."

Judge Hughes departed the plane and within five minutes we were airborne, headed back to Washington.



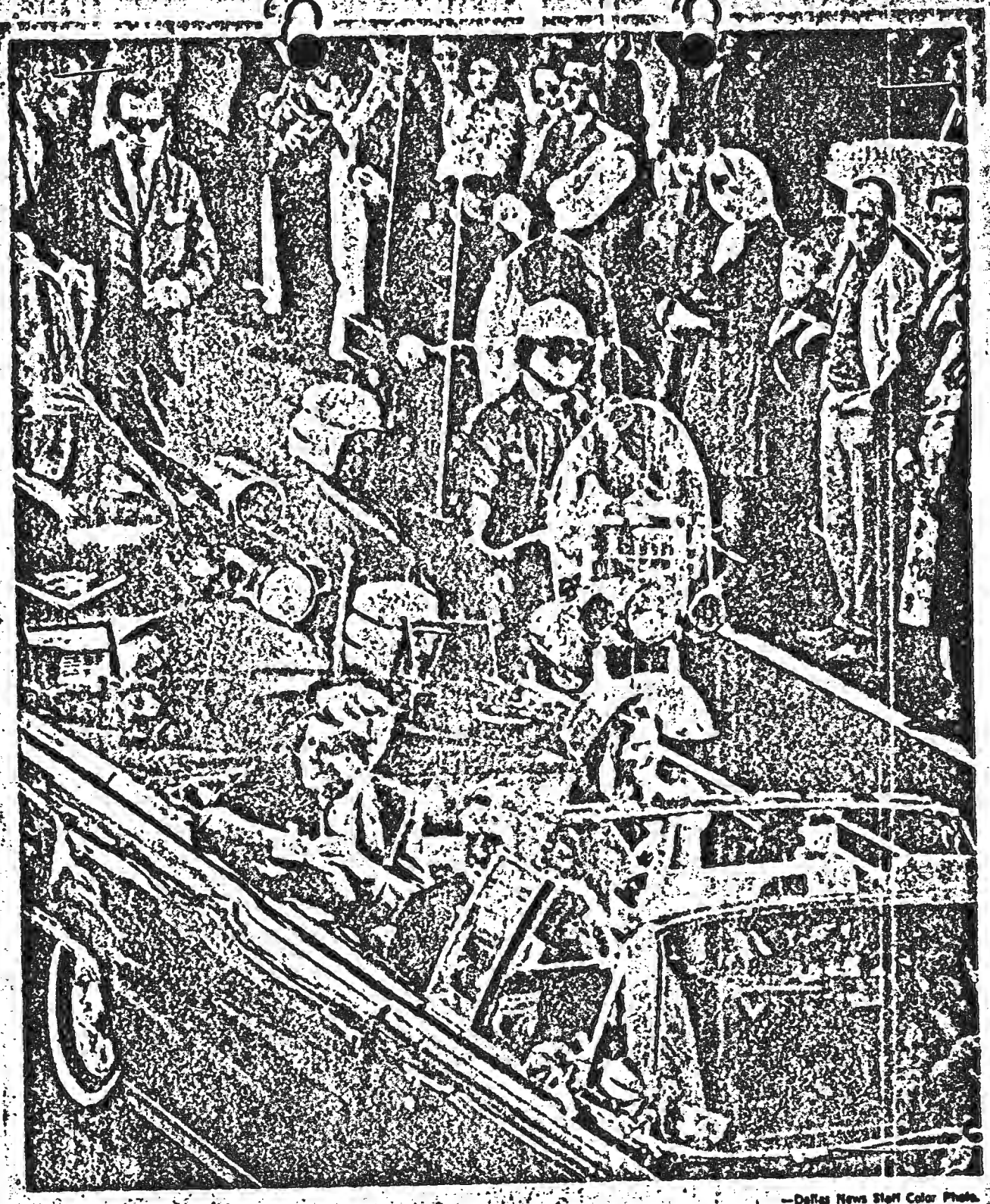
—New York Times Special Features.

Texas Gov. John Connally, Sen. Ralph Yarborough, Vice-President Johnson and President John F. Kennedy from left, react to a warm crowd in Fort Worth on the morning of Nov. 22, 1963, causing the President to say: "We're going to carry two states next year if we don't carry any others: Massachusetts and Texas." Photos by Cecil Stoughton.



—New York Times Special Features

The stunning events in Dallas of Nov. 22, 1963, showed on the faces of Lyndon Johnson, Lady Bird and, most of all, Jackie Kennedy when they gathered in the cabin of Air Force One to witness Johnson take the oath of office from U.S. Dist. Judge Sarah T. Hughes.



—Dallas News Staff Color Photo.

President Kennedy and Jackie, with Gov. John Connally and Nellie in jump seats directly in front of them, wave to an enthusiastic crowd in Downtown Dallas a few minutes before the assassination of the President Nov. 22, 1963. This picture was taken by Dallas News photographer Walt Sisco and this is the first time it has been printed in this newspaper.

[redacted] Oct. 8, 1971.

Regarding the bizarre case of President Kennedy. The tabloids have covered the alleged case for a long time. The encl paper covers the alleged conspiracy on Onassis' Island. Incidentally, your photo is on page 6. Part of the alleged conspiracy covers the assertion that Kennedy was "prisoner" in the Dallas Hospital. The Dept. of Army is allegedly a part of the Dallas scene. For this reason, I suggested to Mr. Pratt that he contact the Adjutant General of the Army on this point. Also, the Dept of Army runs Arlington so the Adjutant General would have all of records in alleged conspiracy. Very sincerely yours,

[redacted] USAF (Ret).

Assassination of President John F. Kennedy

[redacted]
Washington, D.C. 20013

Mr. J. Edgar Hoover, Director,
Federal Bureau of Investigation,
Dept. of Justice Building,
Washington, D.C.

SPECIAL BOOK RATE

62-109060-

NOT RECORDED
191 21 1971

OCT 26 1971

ORIGINAL FILED IN

Assassination of President John F. Kennedy

[redacted]

October 8, 1971

Due to your Mr. Pratt's interest in the Patriotic Party & "Constitutionality and Politics, the encl. may be of interest. The encl. newsletter gives their condideration of constitutionality and politics at the present time. I mentioned the case of Mr. John F. Kennedy and illegation by certain newspapers that his remains are not in Arlington. Should the allegations be true that his remains were never sent to DC be true, it would be of interest. If the allegation be true that burial was by sea off Annassas' Island this year, then I believe that this would be a constitutional catastrophe. I believe investigation to be in order. Very sincerely yours,

[redacted] USAF (RET.)

62-109060

NOT RECORDED
191 21

Mr. J. Edgar Hoover, Director,
Federal Bureau of Investigation,
Department of Justice Building,
Washington, D.C.

ENCLOSURE

5 1 OCT 26 1971

CONFIDENTIAL

ORIGINAL FILED IN 62-109060-52

[redacted] October 8, 1971

On the 29th of Sept., I had a discussion with Mr. Pratt of the Old P.O. Bldg. Discussion covered the subject: "Constitutionality & Politics". I am taking the liberty of sending the Oct. 1971 editorial of the PATRIOTIC PARTY on the subject of constitutionality. I have suggested practical exercise in constitutionality to Pr. Pratt; "Check on grave of John F. Kennedy and, if Kennedy not there, return remains from Onassis Island." Reburial in the Manassas-Arlington Annex & mentioned to Sen. Dole, Rep. Ford, & D.C. Republican Committee. Very sincerely yours,

[redacted] USAF(RET.)

62-109061

NOT RECORDED
191 OCT 21 1971

ORIGINAL FILED IN

October 15, 1971

62-109060-

[redacted]

Washington, D. C. 20013

Dear [redacted]

Mr. Hoover received your communications of October 8th and enclosures and asked me to thank you for your interest in forwarding the literature of the Patriotic Party.

In response to your comments, Mr. Hoover also wanted me to advise you that the death of President Kennedy on November 22, 1963, is a publicly recorded fact. At the request of President Johnson, the FBI conducted investigation regarding his assassination and furnished the results of our inquiries to the President's Commission on the Assassination of President Kennedy. He is presently buried in Arlington Cemetery.

Sincerely yours,

John Edgar Hoover

Helen W. Gandy
Secretary

FBI
OCT 15 1971

1 - Washington Field - Enclosures (3)
1 - Tampa - Enclosures (3)

Attention SAC's: Correspondent enclosed Newsletter from the Patriotic Party, Post Office Box 57, Independence, Missouri 64051, known to Bureau as a front for the Minutemen. Neither [redacted] nor [redacted] is identifiable in Bufiles.

NOTE: Correspondent enclosed copy of 10/18/71 issue of tabloid "Midnight" reflecting story captioned "Proof That Pres. Kennedy Survived Assassination: Photos Show JFK Alive on Skorpios." This newspaper also carried opinions of Washington waiters regarding celebrities, including Mr. Hoover. Correspondent states he was interviewed by Special Agent Edwin K. Pratt, Washington

detached - copy previously filed

62 OCT 26 1971

MAIL ROOM TELETYPE UNIT

ORIGINAL FILED IN 62-109060-

FBI

Date: 10/27/71

Transmit the following in _____ (Type in plaintext or code)

Via AIRTEL _____ (Priority)

Mr. Felt
Mr. Rosen
Mr. Mohr
Mr. Bishop
Mr. Miller, E.S.
Mr. Callahan
Mr. Casper
Mr. Conrad
Mr. Dalbey
Mr. Cleveland
Mr. Ponder
Mr. Bates
Mr. Tavel
Mr. Walters
Mr. Boyars
Tele. Room
Miss Holmes
Miss Gandy

TO: DIRECTOR, FBI (62-109060)

FROM: SAC, DALLAS (89-43)(P*)

SUBJECT: ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY
DALLAS, TEXAS
11/22/63
MISCELLANEOUS - INFORMATION CONCERNING

OO: DALLAS

Enclosed for the Bureau is a newspaper clipping from "The Dallas Morning News" of 10/25/71 captioned "C of C Asks State To Buy Depository". This article indicates that the Dallas Chamber of Commerce has asked the State to buy the Texas School Book Depository Building so that it will be maintained "with dignity" and not become a commercial tourist attraction.

The above is for the information of the Bureau.

ENCLOSURE

(2) - Bureau (Enc. 1)
1 - Dallas
RPG:jls
(3)

EX-101

REC-45

62-109060-7034

1 OCT 30 1971

NOV 8 1971

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

(Mount Clipping in Space Below)

~~C of C Asks~~ State To Buy Depository

The Dallas Chamber of Commerce has asked the state to buy the Texas School Book Depository Building so it will be maintained "with dignity" and not become a commercial tourist attraction.

The chamber board of directors unanimously passed a resolution asking the Legislature to give the existing John F. Kennedy Memorial Commission power of eminent domain and funds to buy the building. The commission, a state agency, passed a similar resolution two months ago.

State Sen. Mike McKool, sponsor of the legislation creating the commission, appeared before the chamber directors and urged that the resolution be adopted.

Copies of the resolution were sent to Gov. Preston Smith, Lt. Gov. Ben Barnes, Speaker of the House Gus Mutscher and all Dallas County representatives and senators.

The Legislature must appropriate money to buy and maintain the building and give the commission power of eminent domain to force the owner to sell the building.

Such approval could come in the next regular session in 1973 or in a special session before that if Gov. Preston Smith recommends that the Legislature act on the matter.

(Indicate page, name of newspaper, city and state.)

"The Dallas Morning News"
3D Dallas, Texas

Date: 10-25-71
Edition:
Author:
Editor: Jack B. Kruger
Title:

Character:
or
Classification:
Submitting Office: Dallas

☐ Being Investigated

L.D. 10-26-71 134

ENCLOSURE

UNITED STATES GOVERNMENT

Memorandum

1 - Mr. Conrad
1 - Mr. Griffith
1 - Mr. Gallagher

TO : Mr. Conrad

DATE: 10/22/71

FROM : W. D. Griffith

SUBJECT: [redacted]
COMMITTEE TO INVESTIGATE
ASSASSINATIONS, INC.
REQUEST FOR INFORMATION

[redacted] telephone number [redacted] who advised he is affiliated with the Committee to Investigate Assassinations, Inc., telephoned the Laboratory today and requested to talk with SA John F. Gallagher.

He advised that he obtained SA Gallagher's name from the Warren Report and now has need for data in connection with testimony reported in the Warren Report. [redacted] advised that he was familiar with chemistry and instrumental analyses and the indication was that he was particularly interested in some of the Kennedy case technical examinations but he was not specific as to the data he desired.

SA Gallagher advised [redacted] that he could not discuss this matter or release any data to any individual without proper authorization. Mr. Smith stated that he would write the Bureau for necessary authorization to discuss his desires concerning specific technical interest data in connection with the assassination of President Kennedy.

ACTION: None. For information.

1 - Mr. Rosen
1 - Mr. Mohr
1 - Mr. Bates
1 - Mr. Bishop

JFG:mas:mb (8)

ADDENDUM: [redacted] concerns instant Committee and characterizes it as being a group consisting of members who believe that a conspiracy existed in the assassination of President Kennedy, Martin Luther King and Robert Kennedy and is headed up by Bernard Finsterwald, Jr.

ORIGINAL FILED IN 62-109060-10

U.S. Property handled.

62-109060-

61 NOV 5 1971

NOT RECORDED
102 NOV 3 1971

SEVEN

FBI

Date: 11/5/71

nsmit the following in _____ (Type in plaintext or code)

AIRTEL _____ (Priority)

TO: DIRECTOR, FBI (62-109060)

FROM: SAC, DALLAS (89-43)(P*)

SUBJECT: ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY,
DALLAS, TEXAS
11/22/63
MISCELLANEOUS - INFORMATION CONCERNING

OO: DALLAS

Enclosed for the Bureau is a newspaper clipping from "The Dallas Morning News" of 11/1/71 captioned "Change in Attitude Seen". This article indicates that the Dallas Chamber of Commerce has taken action favoring state acquisition of the Texas School Book Depository building.

The above is for the information of the Bureau.

ENCLOSURE

2 - Bureau (Enc.1)
1 - Dallas
RPG:jls
(3)

REC-15 62-109060-7035

NOV 8 1971

55 NOV 12 1971

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

(Mount Clipping in Space Below)

Chamber on Book Depository

Change in Attitude

Seen

By CAROLYN BARTA

A News Interpretive

After years, during which the city's business and civic leaders have swept the subject under the rug, the Dallas Chamber of Commerce inconspicuously took a position two weeks ago favoring state acquisition of the Texas School Book depository.

The chamber quietly passed a resolution Oct. 15 urging the Legislature to grant the John F. Kennedy Memorial Commission the power of eminent domain and funds to secure title to the building so it can be maintained "with dignity." 1 DALLAS, TEX

The action came after a request by State Sen. Mike McKool in September for chamber support of such legislation.

While chamber spokesmen say, for the record, that the board was merely responding to McKool's request, it must be noted that McKool has been pleading for almost three years for help in preserving the Depository as a state monument, but has gotten little local reaction.

He was able to persuade the John F. Kennedy Memorial Commission in August to petition the Legislature to extend its power to enable acquisition of the site.

The 9-member commission, established by the last legislative session and appointed by the governor, has three Dallas members, including chairman Raymond D. Nasher.

Nasher was appointed to the chamber's board of directors in September which likely had some influence on the passage of the chamber resolution. He was named to draft it after McKool's appearance.

The commission chairman said only that he felt the chamber approved the resolution because they felt it was "good for the city."

Inside sources agree, however, that there has been a change in attitude by the city's business leadership on disposition of the Depository.

Previously, city leaders tried to ignore the assassination of then President John F. Kennedy and the fact that it happened in Dallas—and have not wanted any tangible reminders.

They would have been happy if, when the D. Harold Byrd-owned Depository from where the fatal shot was fired went on the auction block in 1970, the highest bidder had been a real estate developer who wanted to tear the building down.

But that didn't happen.

(Indicate page, name of newspaper, city and state.)

"The Dallas Morning News"
LD Dallas, Texas

Date: 11-1-71
Edition:
Author:
Editor: Jack B. Kruger
Title:

Character:
or
Classification:
Submitting Office: Dallas

☐ Being Investigated

62 [illegible]—70

ENCLOSURE

[illegible]RREL

Instead, a Nashville, Tenn., promoter, Aubrey Mayhew, bought the building and later announced he would turn it into a museum.

Fearing it would become a "tourist trap" over which they had no control, the city's business and civic leadership finally sat up and took notice.

Sources also say that the chamber position is another move illustrating the more aggressive stance taken by the Chamber of Commerce since E. F. (Gar) Laux was brought in as president.

Houston's constant threat as a tourist attraction has become recognized by the chamber, and it may finally be realizing the value of the Depository in drawing visitors.

If the painful reminder of the assassination is not going away, at least it should be handled in "good taste," chamber officials feel.

"It's come home to the fact that it's either going to be a commercial museum or it's going to have to be owned by the state. No one knew before who was going to buy it, what purposes it was going to be used for. Now it's an either-or decision," McKool said.

He thinks the chamber's stand and the Kennedy Commission position will have "tremendous influence" on the Legislature.

"Without question, in the next session of the Legislature this power of eminent domain will be granted and the funds made available to the commission. You're talking about little money, and it doesn't have to cost the taxpayers anything. It would operate like a toll road until paid off."

McKool also expects other civic clubs and community organizations to get behind the effort as the session draws closer.

"The mere fact that the Dallas Chamber is now behind it speaks for itself. It wouldn't have been expected three, four or five years ago," he said.

ERRELL

UNITED STATES GOVERNMENT

Memorandum

TO : Director, FBI (62-109060) DATE: 11/16/71

FROM Legat, London (62-358) (P)

SUBJECT: ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY,
DALLAS, TEXAS, 11/22/63
MISC. INFORMATION CONCERNING

ReLonlet 9/21/71.

[redacted]

The Bureau will be kept advised.

3 - Bureau (Enc. 2)
1 - Foreign Liaison Desk
1 - London
JTM:vw
(5)

EX-100 REC-53 62-109060-7036

2 ENCLOSURES

NOV 23 1971

cc LeHeadsd.
to D.L. by OA

51 DEC 3 1971

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

FBI

Date: 11/24/71

Transmit the following in _____ (Type in plaintext or code)

AIRTEL

Via _____ (Priority)

TO: DIRECTOR, FBI (62-109060)

FROM: SAC, BALTIMORE (89-30) -RUC-

SUBJECT: ASSASSINATION OF PRESIDENT JOHN FITZGERALD KENNEDY
DALLAS, TEXAS, 11/22/63
MISCELLANEOUS (INFORMATION CONCERNING)
OO: DALLAS

On 11/6/71, [redacted], Hot Shoppe, Delaware Turnpike, Newark, Delaware, mailed to the Wilmington Resident Agency, the enclosed letter and two reprints entitled, "The Federal Bureau of Investigation and the Assassination of President KENNEDY." The enclosed letter which is undated and unsigned, is addressed "Dear Bud", and is handwritten in ink.

[redacted] advised that these items were left at the Hot Shoppe, Delaware Turnpike on 10/30/71 by an unknown person or persons. She could furnish no further information regarding the leaving of these items or identity or description of the individual or individuals who left the items.

Enclosed for the Bureau is the original letter and one copy of the above-mentioned reprint, and for Dallas a xerox copy of the letter, and one copy of the reprint.

No further action in this matter is being taken by Baltimore, UACB.

2- Bureau (Enclosures 2)
2- Dallas (Enclosures 2)
1- Baltimore
GNS/arj
(5)

REC-15 62-109060 1037

EX-101

2 ENCLOSURE
ENCLOSURE ATTACHED

6 DEC 2 1971

Approved: _____ Sent _____ M

Special Agent in Charge

8 8 9t

Dear Bud:

I apologize if I have placed you or the NCTJA in an embarrassing position for any reason wit the October article. I had received very favorable comments on it from everyone until I arrived in Washington. I thought the idea of using the head of steam generated by the Pentagon Papers to get W.C. documents declassified would be a good one. Ed Berkeley thought so too and I was under the impression that you thought so. [redacted] also bel

When you returned the article to me before I sent it to Berkeley, I changed it a improved on it, increasing the amount of documentat and the reference. Ed reviewed it from that viewpo also. I checked the list of classified document against a list of numbers that were declassified which you sent to me. I did not realize until the week when [redacted] told me in Dallas, that any of th had been declassified.

That is not difficult to rectify how I can publish a sequel in December ~~of the~~ showing t key sections of those which were declassified. I woul appreciate it if you would send me copies of any on my list (or rather, Berkeley's list in the Nov 197 is referred to in my article, but not republished)

I have written to Garrison asking for a copy of the TWX message. We'll see if he responds. Please let me know whether there are any other items in the article that need further support ~~or corrections~~.

With regard to my Dallas trip, I felt it was extremely fruitful. Beverly is the Babushka la I'm sure. She led me to the exact spot where she w standing, described exactly what she did that day, an the clincher was, "She saw the puff of smoke exactly whe it was that day." [redacted] was with me and came to th same conclusion. The next step is to track down the fil The men who came to the club and her apartment t confiscate it on Sunday Nov 24, were not local FBI or Dallas police officers. From Beverly's description, I would judge them to be either Texas Rangers or Dall County Sheriffs. However, they could have been non loc FBI or Secret Service agents, or someone more ulterior

She says her apartment was robbed later and her camera and unexposed film were taken, whil other valuables were not. As you reflect on the speed with which they tracked her down, confiscated the film, and burie you must give strong weight to the two men being conspirators. The Secret Service and Natl FBI really didn't suppress other important f Above the crown Brass (Nix Mckenzie Bell) Who would th

cleaned up the club after Ruby was in jail, and stored awa
all of the equipment. He now operates a night club in F
Worth with two of Ruby's girls. [redacted] also knows the
photographer's present whereabouts.

Some of what she says, including the film
could be verified by talking to some of the other ge
One of these is Chris Colt. I reserve the right to interv
her. Her act was billed in 1960 when I saw her in Dallas
as "Chris Colt and her 45's", and it wasn't referring to gu
[redacted] is following up on most of [redacted]
leads. But [redacted] could use some help.

The next subject is [redacted] for a guy
with only one arm and a crippled leg, he is really a ma
He is working on 5 projects, any one of which would he
blow the JFK case wide open". How often have y
heard that? Even so, developments just in the
past few months look very promising.

1. [redacted] 7
[redacted] has discussed the case recently
with [redacted] is still D.A. and still has jurisdictio
over any indictments that might be returned in the
[redacted] told [redacted] that he knows there was a conspir
and that there are plenty of guilty people walking

around loose. He said he was happy when t
Ruby trial ended so he could "forget about the
whole thing".

Coupled with Wes Wise, Dallas mayor,
Jesse Curry and Henry Wade, all of whom now say
there was a conspiracy, there might be a possibility of
getting something going in Dallas. Blame shifting to the
FBI and W.C. but away from the police & D.A. would
an essential part of any move there. Also protection
from the Dallas Council would be necessary. I believe
is worth an attempt.

2. Bullet Found in Plaza

The enclosed article which Al found in the D
Times Herald would seem to confirm his theory ab
the object in the photos by Murray and Allen showing
Walthers and another man picking up something from
the drain on the south curb of Elm St.

The distance to that drain from the T
sixth floor window is about 125 yards. As you m
remember, Chapman is the source Garrison used to d
a bullet was picked up and that it appears in one
the pictures. I have never been convinced that it
a bullet. [redacted] recent discoveries led me to entertai
the possibility more seriously. He asked if Day ab

the newspaper article and Day said he was misquoted. However, Al has tracked down the guy in the photos: He turns out to be [redacted] the guy who was guarding the northern end of the triple overpass. [redacted] says a bullet was found out th

3. [redacted]

The guy in the pick up sequence of photos may be [redacted] Chapman has tracked him down and says he is a dead ringer for the guy in the photos. [redacted] was a postal employee at the time, and became suspicious in Garrison's mind in another connection.

[redacted] according to Al, may ha been a former FBI agent. Jr. is now working for a public opinion survey outfit in Dallas, nam [redacted] and [redacted], with a commercial servi and called [redacted]

He would like help in checking out both Robertsons. If Jr. picked up a bullet, it raise several questions:

What was he doing in the Plaza?

Why did Walthers allow him to pick up whatever

What happened to the object?

Was, and is [redacted] something other than [redacted] employee?

The Federal Bureau of Investigation and the Assassination of President Kennedy

"Although the Warren Commission had a substantial staff of lawyers, it had no true investigative staff of its own. Consequently, the Commission relied upon other agencies – the FBI, Central Intelligence Agency, Secret Service, etc. – for field investigations and laboratory work. Of these agencies, the FBI acted as the principal investigative arm of the Warren Commission."

Bernard Fensterwald, Jr., Attorney
927 15th St., N.W.
Washington, D.C. 20005

The President's Commission on the Assassination of President John F. Kennedy, popularly known as the "Warren Commission", was appointed by President Lyndon B. Johnson on November 29, 1963. Less than a year later the Warren Commission submitted its report to President Johnson.

Reliance on Other Agencies for Investigation

Although the Warren Commission had a substantial staff of lawyers, it had no true investigative staff of its own. Consequently, the Commission relied upon other agencies —'the FBI, Central Intelligence Agency, Secret Service, etc. — for field investigations and laboratory work. Of these agencies, the FBI acted as the principal investigative arm of the Warren Commission.

Theoretically, at least, the FBI was the agent of the Warren Commission and did what the Commission instructed it to do. In actual fact, the relationship between the two was not that simple. But whatever the complexities of the relationship, the role played by the FBI was key to the Commission's working processes and its ultimate product — the Warren Report.

This article focuses upon some aspects of the FBI's role in the investigation into President Kennedy's assassination. It concludes that the FBI did not properly perform its duties. The article charges, among other things, that:

- the FBI withheld much pertinent information from the Warren Commission;
- the FBI flooded the Commission with reams of irrelevant data;
- the FBI altered some items of evidence, and
- in some instances the FBI procrastinated in investigating and reporting relevant information.

A. The FBI Dominated the Investigation: Did It Do Its Job Well?

1. Assigned by President Johnson to conduct a "full and thorough" investigation of the assassination [1], the FBI produced a Summary Report [2], complete with embossed cover and plastic binder, barely two weeks after the murder of President Kennedy and before the Warren Commission could even organize its staff or appoint its Chief Counsel [3]. That report, and a similarly glossy FBI Supplementary Report [4] date January 13, 1964, contained allegations of medical findings and other basic evidence which are in irreconcilable conflict with the Commission's own findings on the same evidence.

Premature Commitment

In addition, these reports prematurely committed the FBI — and probably the Commission as well — to the thesis that Oswald and Oswald alone was guilty of having assassinated President Kennedy. The FBI's errors on the evidence — if that is what they were — were so embarrassing to the Commission that these FBI reports were suppressed in the Commission's own Report and in its 26 volumes of Hearings and Exhibits as well [5]. The contents of these two FBI reports, which seriously conflicted with the Warren Commission thesis, were not disclosed until 1966 [6].

Bullet Fragments and Data

2. The FBI withheld much pertinent information from the Warren Commission. For example, the FBI did not supply to the Commission the essential details of the spectrographic analyses of the bullet and bullet fragments.

Yet this was absolutely crucial evidence, as it could have shown whether all the projectiles and the bullet were identifiable with a single batch of ammunition. Instead, the FBI reported only that

the composition of these items was "similar" [7]. Parenthetically, it should be stated that the Warren Commission did not study the details of the spectrographic analyses, though it should have. On the other hand, when members of the Commission staff made inquiries about neutron activation analysis of the areas surrounding the alleged bullet hole in the President's shirt collar and the nick on his necktie, FBI Director J. Edgar Hoover personally shunted aside any effort in this direction by throwing cold water on the usefulness of such tests as an aid in understanding the origin of the hole and the nick [8]. Yet neutron activation analysis is a test several times more refined than spectrographic analysis and might have resolved conclusively certain questions about the origin of the hole in the President's shirt collar and the frayed area on his necktie. As a consequence, these tests could have answered questions as to whether a single bullet did in fact inflict all seven wounds on both President Kennedy and Governor Connally, a claim which the Commission made and which was essential to its contention that the President was assassinated by a lone rifleman.

Oswald's Records of FBI Agent Hosty

3. In a different form of dereliction, the FBI sometimes procrastinated in reporting to the Commission the results of its investigations. Thus, in one instance the FBI delayed seven weeks in reporting the contents of selected pages from Oswald's notebook. These are the pages which contained the name, address, phone number, and other data about FBI Agent James P. Hosty, and which suggested a possible informant-agent relationship between the two men [9].

Dental Charts of Jack Ruby's Mother

4. Meanwhile, the FBI did not hesitate to swamp the Commission with time-consuming irrelevancies. These included the dental charts of Jack Ruby's mother [10] and the subtle distinctions between the Caucasion, Negroid, and Mongoloid hairs [11]. Recently it has come to light that the FBI sent to the Commission two copies of a 48 page compilation it made of Marina Oswald's medical records for the period of her pregnancy [12].

5. The FBI also meddled with evidence on occasion.

Thus, a camera said to have been used by Oswald to have his picture taken holding the alleged assassination weapon was mended by the FBI prior to duplicating the photographs [13]. The original Oswald-with-rifle photographs themselves were belatedly examined for fingerprints by the FBI in 1960, while in the possession of the National Archives, and they are no longer in recognizable condition [14].

Lack of Identification of at Least 7 Persons

6. The FBI never interviewed or even identified some of the persons who were employed at the Texas School Book Depository (TSBD) at the time of the murder.

Yet certain of these persons might have been among the most important witnesses in the entire investigation. A letter from J. Edgar Hoover to the Commission, date April 3, 1964, purported to forward statements "from each person known to have been in the Texas School Book Depository on November 22, 1963." The number of statements forwarded is 73, and 3 other employees are named as being absent from work that day [15]. Yet the Secret Service had previously identified 80 employees on December 7, 1963 [16]. Another employee, Gordon Wayne Smith, who did work on November 22, 1963 and was in the same group as Oswald, had been interviewed superficially by the FBI on November 27, 1963 [17]. There is no record of a subsequent report on him by either the Secret Service or the FBI. Scattered references in the testimony and various Commission exhibits establish that several other persons are known to have been in the TSBD on the morning of November 22, 1963, but some of these have not been identified to this day [18].

B. Oswald Took the Rap: But Was He an FBI "Subject"? an FBI "Informant"? or Both?

1. Texas Attorney General Waggoner Carr, based on information supplied to him by Dallas District Attorney (and former FBI agent) Henry Wade and others, informed the Warren Commission in January, 1964, that there was evidence that Oswald had been an FBI informant [19].

The Emergency Meeting of the Warren Commission That Was Unreported

This information occasioned an emergency meeting of the Warren Commission on January 22, 1964. The stenographic record of this meeting was confiscated and never written up [20]. Carr and Wade were among those then invited to Washington to discuss this allegation with the Commission. The meeting was held in total secrecy on January 24; even the stenographic reporters were excluded [21]. The proceedings have never been published.

The Commission resolved the dilemma which this allegation posed by asking J. Edgar Hoover if Oswald was an FBI informant. The FBI Director responded that Oswald was not an FBI informant, after which the Commission dropped the matter.

Oswald Sought an FBI Interview When Jailed in New Orleans

2. On August 9, 1963 Oswald was arrested in New Orleans for disturbing the peace. This charge arose out of an altercation which occurred when Oswald distributed leaflets on behalf of a purported New Orleans chapter of the Fair Play For Cuba Committee (FPCC), a national organization suspected as subversive by the FBI. Strangely, Oswald asked for and promptly got an interview with an FBI agent [22]. Would a "true" subversive seek an FBI interview upon being jailed? The FBI later explained to the Commission that it was apparent from the interview that Oswald "was making a self-serving statement" [23] but the FBI also charged that Oswald had told the agent numerous lies during the interview and they neglected to show how any of this served Oswald's supposed purposes.

Seven FBI Agents Associated with Oswald

3. At least seven different FBI agents are known to have been associated with Oswald during the year and a half after his return from Russia and before the assassination, several of them through personal interview of Oswald [24].

One agent, Warren DeBrueys, prepared a report dated October 25, 1963, concerning the "Fair Play For Cuba Committee — New Orleans Division" [25]. Published references to this report seem to indicate that it is entirely or almost entirely about

Oswald [26], although by the date Oswald had departed New Orleans at least a month previously and the FBI later stated that investigations during the Summer of 1963 "disclosed no existence of organized FPCC activities in the New Orleans area" and, in fact, "the only activities in behalf of the FPCC appeared to be those efforts made by Oswald" [27]. The DeBrueys report, while apparently made available to the Warren Commission, is not printed in the Commission volumes and has never been released to the public by the FBI.

4. FBI Director J. Edgar Hoover, in a letter to the Commission on May 4, 1964, submitted an itemized list of "the contents of the FBI headquarters file concerning Lee Harvey Oswald up to the time of the assassination ..." [28]. The list contains no fewer than 69 items, but despite its length there are at least two known FBI reports concerning Oswald, prepared prior to the assassination, which are not included [29]. Hoover's letter offered no explanation for such omissions.

5. FBI Director J. Edgar Hoover submitted a letter and affidavit to the Commission in February, 1964, in which he stated "categorically" that Oswald had never been an informant for the FBI [30]. Taken in context, Hoover's statement is a response to the allegation that Oswald had been a paid informant for the FBI. Consequently, the refutation of this allegation overshadowed other ticklish questions about the nature of Oswald's contacts with the FBI. The Commission itself published FBI reports of interviews of Oswald on June 26 and August 16, 1962 [31], which state that Oswald had promised to cooperate with the FBI by reporting "any contacts, or attempted contacts, by the Soviets under suspicious circumstances or otherwise." On its face, it seems rather strange that an alleged Marxist who defected to Russia should agree to cooperate with the FBI to the detriment of the Soviet Union.

C. Unanswered Questions About the FBI's Knowledge of Oswald Prior to the President's Assassination

Convincing evidence exists that Oswald could not have been the lone assassin of President Kennedy. Close examination of the available evidence suggests extensive fabrication and cover-up, and also suggests the clear possibility that Oswald was framed for a crime with which he had no connection, particularly not as a rifleman [32].

But assuming for the sake of argument that, although contrary to the evidence, the Warren Commission thesis about Oswald is true, there remain embarrassing but unanswered questions.

1. Dallas FBI Agent James P. Hosty was assigned to investigate Oswald prior to the assassination of President Kennedy. Hosty is reported to have asserted to a Dallas Police Detective on the afternoon of the assassination that the FBI was aware of Oswald and that they had information that Oswald "was capable of committing the assassination of President Kennedy" [33]. Hosty later denied making any such statement, contrary to convincing evidence that he had [34].

2. FBI Director J. Edgar Hoover defended Hosty and claimed that the FBI did not have "any indication that this man was a dangerous character ..." and that there had been no information to justify referral to the Secret Service [35]. The Commission disagreed, and after recounting Oswald's history of hostile and erratic behavior, all of which was well known to the FBI, observed: "All this does seem to amount to enough to have induced an alert agency, such as the FBI, possessed of this information, to list Oswald as a potential threat to the safety of the President" [36].

3. Marina Oswald lived at the residence of Ruth and Michael Paine in Irving, Texas, for some weeks prior to the assassination and Lee Oswald frequently stayed there. For reasons said to have been related to Oswald, the FBI initiated a full field investigation of the Paines in late October, 1963, actually visiting the Paine residence on November 1 and 5, 1963 [37]. FBI Agent Hosty claims that he learned of the Oswalds' living with the Paines only after learning of a change of address filed by Oswald in New Orleans [38].

FBI Interception of Oswald's Mail

4. Numerous FBI reports, some only recently declassified, establish conclusively that Oswald's correspondence with certain organizations was being intercepted and supplied by confidential informers to the FBI. One such report cites the contents of an Oswald letter to the FPCC in April, 1963, the source being described as "Dallas confidential informant T-2" [39]. A New York informer reported an Oswald letter to The Worker in June, 1963 [40]. Another FBI report shows awareness of Oswald's correspondence with the Soviet Embassy in Washington in August, 1962 [41]. The FBI neither admitted nor denied operating a mail cover on Oswald, although this would have been a simple and logical extension of the FBI's investigation of him. The existence of a mail cover on Oswald is, however, a legitimate question, for if such a mail cover was placed on Oswald prior to March, 1963, then the FBI may have known of Oswald's receipt by mail of the rifle which he allegedly used to assassinate President Kennedy. Knowledge of Oswald's receipt of this weapon would clearly have signalled his "capability" for violence which the FBI claimed was unknown.

5. The FBI possessed a massive dossier on Oswald and his activities for several years [42]. FBI Agent James P. Hosty, who knew intimately of Oswald's past and his place of employment at the TSBD, claimed to have been totally unconcerned about Oswald as a threat to the President [43]. Yet this same Hosty said he took it upon himself on November 21, 1963, to inform the Secret Service of certain right-wing activities and threats to the President in Dallas [44], proving that there was no lack of opportunity for the FBI to have warned about Oswald.

D. Does the FBI Mislead Its Bosses?

1. The day after District Attorney Jim Garrison arrested New Orleans businessman Clay Shaw and charged him with having conspired to murder President Kennedy, Ramsey Clark, who was in the midst of Senate proceedings to confirm him as Attorney General, asserted that the FBI had included Shaw in an investigation into the assassination it made in November and December of 1963. Clark then claimed: "On the evidence that the FBI has, there was no connection found" [45].

2. Three months later the Justice Department issued another statement which proclaimed that Clark's earlier statements were in error and admitted that the FBI did not investigate Shaw during its probe of President Kennedy's assassination [46].

3. J. Edgar Hoover has recently asserted that Ramsey Clark was a "jellyfish" — the worst Attorney General he had ever served under. "He was worse than Bobby," Hoover said [47].

However, the incidents re[illegible]d above raise a serious question about Hoo[illegible] Did Hoover's FBI mislead Attorney General Cla[illegible]s to whether the FBI had ever investigated Cla[illegible]haw during its probe of President Kennedy's assassination?

CITATIONS

Following is the explanation of abbreviations used in the citations below:

WR — Warren Report

CE — Commission Exhibit (Printed in one or another of the 26 volumes of Hearings and Exhibits; these can be located by exhibit number.)

CD — Commission Document (These are not printed but are available for examination at the National Archives, provided they are not still classified.)

Certain exhibits, e.g. Gallagher Exhibit 1, are referred to by the name of the person testifying at the time they were introduced; these are printed in the 26 volumes and can be located by name and number in the appropriate volume as identified by the binder.

Testimony is cited by volume and page number, followed in parenthesis by the name of the person testifying. e.g., "5H100 (J. Edgar Hoover)" means volume 5, page 100, testimony of J. Edgar Hoover. In a few instances involving references to lengthy exhibits, this same notation is used to specify a particular volume and page number to facilitate the location of the information being cited.

1. 5H100 (J. Edgar Hoover)
2. CD 1
3. WR, pp. x-xi
4. CD 107 and 107.1
5. No part of CD 1, 107, or 107.1 is printed in the Report or Volumes. Neither J. Edgar Hoover nor Alan Belmont (Asst. to Hoover) refer to them in testimony.
6. "List of Basic Source Materials," National Archives, released to public in 1966. See also Sylvia Meagher, Accessories After the Fact, Bobbs-Merrill, 1967, pp. 147-148.
7. 5H67 (Frazier)
8. Gallagher Exhibit 1
9. CD 833, p. 15; 5H112 (Hoover); the actual entries may be seen in CE 18 (16H64)
10. CE 1281
11. CE 668 through 670
12. CD 884
13. 4H284
14. Information from the National Archives
15. CE 1381
16. CD 87, Secret Service #491
17. CD 5, p. [illegible] see also CE 1949 (23H751)
18. For exam[illegible] see 6H366-367 (Danny Arce); Decker Exhibi[illegible]23 (19H511 re a "Joe Loraine"); CD 897, pp. 35-36 (re a Mr. & Mrs. Hawkings).
19. Congressman Gerald R. Ford, Portrait of the Assassin, pp. 13-25
20. Records of Ward & Paul, Court Reporters, Washington, D.C., 1964
21. Ibid. (no entry); the meeting itself is described by Ford, op Cit., pp. 13-14.
22. WR, pp. 436-437; CE 833, p. 7
23. CE 833, p. 10; see also 5H11 (Alan Belmont)
24. CD 821 through 824, 826, 829, and 833
25. CE 833, pp. 7 & 9
26. Ibid.
27. Ibid.
28. CE 834
29. Known to be in existence but not included in Hoover's list are the Fain report of 5/12/60 (see CE 821) and the DeBrueys report of 10/25/63 (see CE 833, p. 7-9). See also 5H26 (Alan Belmont) re certain Hosty notes or reports in October-November, 1963.
30. CE 825 and 835
31. CE 823, p. 13; CE 824, pp. 1 & 6
32. See particularly the works by Sylvia Meagher (Accessories After the Fact) and Harold Weisberg (Whitewash II: The FBI-Secret Service Cover-Up and Photographic Whitewash).
33. WR, p. 441
34. WR, pp. 441-442; CE 709 & 711
35. WR, pp. 442-443; CE 833, p. 2 of cover letter
36. WR, p. 443
37. CE 830; CE 833, pp. 12 & 13; 4H446-448 (James P. Hosty); 5H26 (Alan Belmont)
38. 4H447 (Hosty); CE 833, p. 13
39. CE 829, p. 2; CE 833, p. 5
40. CE 833, p. 6; see also CD 28, pp. 3-4; CD75, pp. 672-673 (declassified in 1970)
41. CE 824, pp. 1 & 4
42. WR, pp. 433-440
43. 4H460 (Hosty)
44. Ibid.
45. New York Times, March 2, 1967, p. 22
46. Ibid., June 3, 1967, p. 64
47. Washington Post, November 17, 1970, p. 1

FBI

Date: 11/23/71

Transmit the following in _____ (Type in plaintext or code)

Via _____ (Priority)

TO: DIRECTOR, FBI (62-109060)

FROM: SAC, NEW ORLEANS (89-69) (P*)

SUBJECT: ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY,
DALLAS, TEXAS, NOVEMBER 22, 1963
MISCELLANEOUS - INFORMATION CONCERNING

MILTON R. KAACK, Former Special Agent of the FBI, advised on 11/22/71, that he had been contacted by HAROLD WEISBERG, who is gathering material for a book entitled "Oswald in New Orleans." HAROLD WEISBERG asked Mr. KAACK if he could make any comments concerning OSWALD without violating the confidential status of his former position with the FBI. Mr. KAACK stated that he declined to make any comments or answer any questions of Mr. WEISBERG.

The above is being furnished for the information of the Bureau.

2 - Bureau
1 - Dallas (89-43)
1 - New Orleans
ECW - smj
(4)

EX-112

REC 16 62-109060-7038

NOV 26 1971

SIX

Approved: _____ Sent _____ M Per _____

Special Agent in Charge

51 DEC 1 1971

FBI

Date: 12/1/71

Transmit the following in _____ (Type in plaintext or code)

Via AIRTEL (Priority)

Mr. Tolson
Mr. [illegible]
Mr. [illegible]
Mr. Mohr
Mr. Bishop
Mr. Miller, E.S.
Mr. Callahan
Mr. Casper
Mr. Conrad
Mr. Dalbey
Mr. [illegible]
Mr. [illegible]
Mr. [illegible]
Mr. Tavel
Mr. Walters
Mr. Sowers
Tele. Room
Miss Holmes
Miss Gandy

TO: DIRECTOR, FBI (62-109060)

FROM: SAC, DALLAS (89-43) (P*)

SUBJECT: ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY,
DALLAS, TEXAS
11/22/63
MISCELLANEOUS - INFORMATION CONCERNING

OO - DALLAS

Enclosed for the Bureau are three newspaper clippings described as follows:

(1) "The Dallas Morning News" of 11/18/71, captioned "Depository Controversy Lingers".

This article deals with the controversy over what should happen to the Texas School Book Depository Building.

(2) "The Dallas Morning News" of 11/25/71, captioned "C of C Endorses Depository Move".

This article reflects that the Dallas Chamber of Commerce directors had endorsed a resolution giving the State of Texas eminent domain over the Texas School Book Depository Building.

(3) "The Dallas Times Herald", Dallas, Texas, of 11/21/71, captioned "Time Gives Back Identity".

This article deals with the controversy which arose immediately after the assassination concerning one BILLY NOLAN LOVELADY whose picture appeared in the doorway of the Texas School Book Depository at the time of the assassination.

EX-104 62-109060-7039
hcC-32

2 - Bureau (Enc. 3)
1 - Dallas
RPG:kch
(3)

ENCLOSURE

DEC 3 1971

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

Investigation thereafter identified him and established that he resembled closely LEE HARVEY OSWALD.

The above articles are furnished to the Bureau for information.

(Mount Clipping in Space Below)

Depository Controversy Lingers

Kennedy Assassination Site Visioned as Museum, Library

By HUGH AYNESWORTH
Newsweek Feature Service

Eight years ago this Nov. 22, a sick young self-styled Marxist named Lee Harvey Oswald sneaked up to the sixth floor of a drab, red brick building in downtown Dallas. There he waited until 12:30 p.m. when he fired three rifle shots that rang 'round the world and took the life of President John F. Kennedy.

In the years since that awful moment, there have been countless controversies about the assassination. Most of them have by now faded away—all, that is, except one.

Now the city of Dallas is up in arms again—not about the tragedy itself—but about what should happen to the Texas School Book Depository, the building from which Oswald fired his shots.

UNTIL LAST YEAR, there was no reason to assume that the building would ever again be the focus of any uproar. Granted, it had become one of the world's most photographed structures with 3,000 to 4,000 tourists a day snapping shots from every conceivable exterior angle. But the Depository's principal owner, oilman D. Harold Byrd, kept it open and ran it quietly as it had always been run—as a storehouse for school books an office for several book publishers.

Then in April of 1970, Byrd put the building on the auction block and it was snapped up for the bargain price of $650,000—by a colorful Nashville, Tenn., record company executive and ardent Kennedy buff named Aubrey Mayhew.

Mayhew quickly shut the building down and barred all visitors. But even before he could utter a word about his own plans for the Depository, citizens' groups and state legislators suddenly became very concerned.

Some wanted to tear it down; others envisioned a museum. But everyone was worried that Mayhew, who is known to have a collection of 20,000 items of Kennediana, would turn the building into a honky-tonk tourist trap.

"What I want," he says, "is a tasteful, meaningful museum and library." Some sections would contain his items of memorabilia. Others would store microfilms, books and newspapers about the assassination, providing facilities for what Mayhew calls "a continuing study of what happened here that day."

But Mayhew's plans do not impress State Sen. Mike McKool, who has been trying to get the state legislature to appropriate funds to reclaim the building from Mayhew.

McKool's vision of the "great museum" doesn't differ markedly from Mayhews' except that he says "people

(Indicate page, name of newspaper, city and state.)

"The Dallas Morning News"
Dallas, Texas

Date: 11-18-71
Edition:
Author:
Editor: Jack B. Kruger
Title:

Character:
or
Classification:
Submitting Office: Dallas

☐ Being Investigated

ENCLOSURE

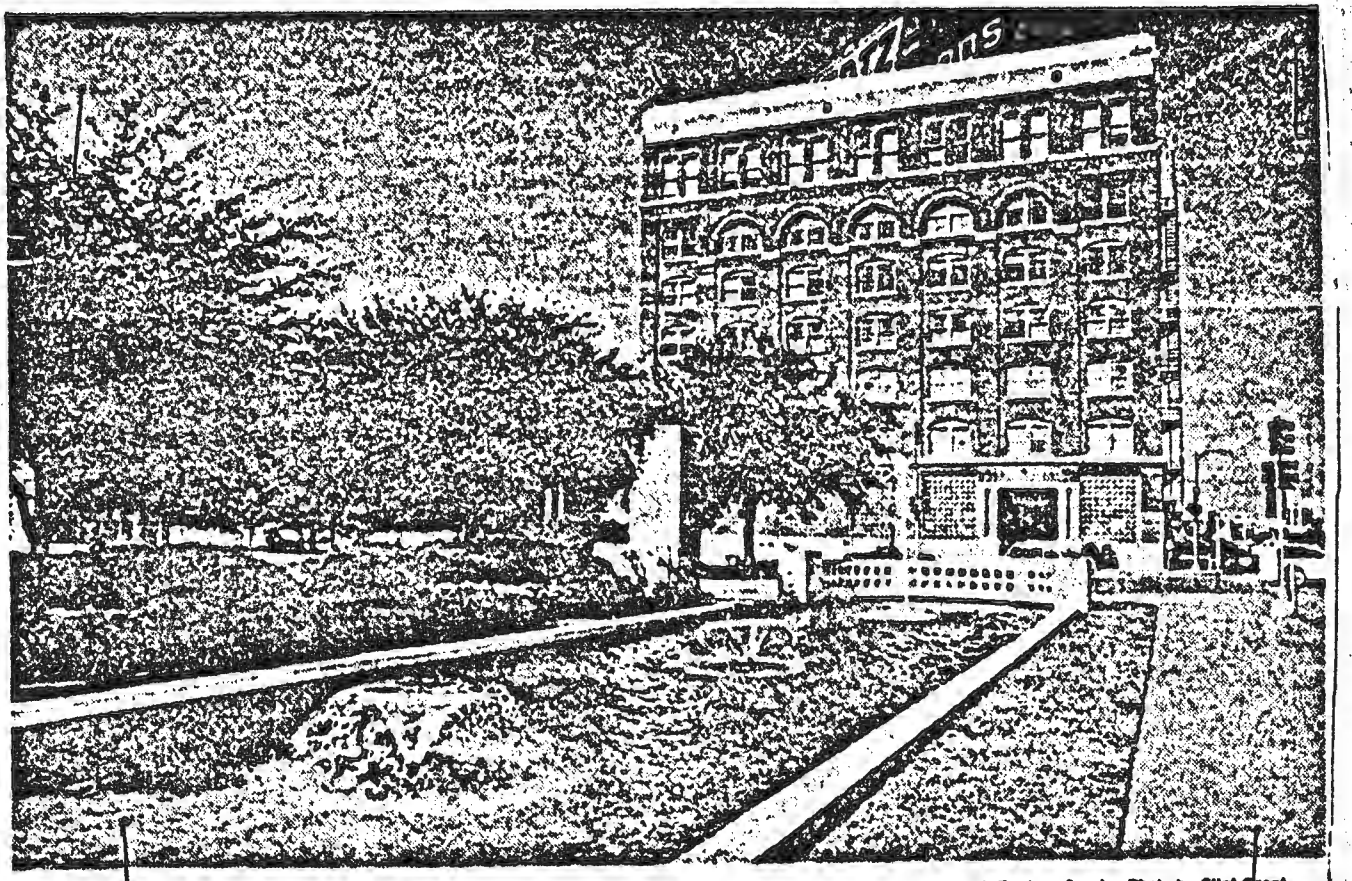
62-109060-7039

and organizations would be willing to make gifts to the State of Texas whereas they wouldn't to a private organization or one for profit. The U.S. government has many items, such as the death weapons, that they would probably be willing to give to the state because this is the proper place for them."

Still another approach has been suggested by Raymond D. Nasher, the respected Dallas developer and cultural leader who heads the nine-member state commission set up to recommend how best the state could memorialize President Kennedy. At the moment, Nasher seems to favor tearing down the building.

"It is a very, very difficult problem to remodel properly," he says. "It isn't in very good condition. What you'd have to do, basically, is gut the thing and keep the exterior as it is. My personal feeling is that the site is important, a national landmark.

"BUT IF YOU COULD create something on the site which would be a working, living type of operation that was helping the state sociologically—in the name of the President—it would be much more meaningful than just keeping that red brick building as a landmark."



—Newsweek Feature Service Photo by Clint Grant.

The Texas School Book Depository with a Dealey Plaza fountain in the foreground.

(Mount Clipping in Space Below)

CofC Endorses Depository Move

A resolution giving the state eminent domain over the Texas Depository Building — from which former President John F. Kennedy was slain—was endorsed Friday by Dallas Chamber of Commerce directors.

The resolution, which also allocates funds for purchase of the building, was authored by by the John F. Kennedy Memorial Commission and will be presented to the Texas Legislature.

Aubrey Mayhew, a former businessman in Nashville, bought the depository in April 1970 for $650,000. He has announced plans for a $2.5 million museum that will house 200,000 items of Kennedy memorabilia.

The chamber also went on record in urging Gov. Preston Smith to include eminent domain legislation in any special session called prior to the 63rd legislative session.

Mayhew, who has been living in the depository the last four months, has said he will fight "to the end" before he surrenders his building.

State Sen. Mike McKool, author and sponsor of legislation that created the JFK Memorial Commission, had sought in 1969 to secure title to the depository but at that time the commission was created without such authority.

The chamber's resolution says, "this historical landmark should not be commercially maintained but rather be managed with dignity, respect and imperpetuity for the people of Texas."

According to the Warren Commission Report, Lee Harvey Oswald was perched near a sixth-floor depository window, from where he fired the shots that killed President Kennedy and wounded then Gov. John Connally.

(Indicate page, name of newspaper, city and state.)

"The Dallas Morning News"
Dallas, Texas

Date: 10-25-63
Edition:
Author:
Editor: Jack B. Kruger
Title:

Character or Classification: 89-43
Submitting Office: Dallas

☐ Being Investigated

ENCLOSURE
62-109060-76

RY [illegible] ELL

(Mount Clipping in Space Below)

Time Gives Back Identity

Oswald's Look-Alike Coworker Haunted for Years

By FLOYCE KORSAK
Staff Writer

The fallout from one of the most traumatic tragedies of the 20th century—the assassination of President John F. Kennedy eight years ago this week—spattered onto the innocent as well as the guilty.

One who innocently got caught up in the controversy was Billy Nolan Lovelady, a look-alike of Lee Harvey Oswald, the young man who the Warren Commission determined was the lone assassin. Both were employes of the Texas School Book Depository on Nov. 22, 1963.

Lovelady was standing in the doorway of the depository and witnessed the assassination.

HE WAS caught in the camera of James W. Altgens, an Associated Press photographer, as the shots were fired. The picture with a big question mark made headlines around the world—"Is this Lee Harvey Oswald? If so, then who killed Kennedy?"

The impact of mistaken identity was to follow Lovelady for four years. Letters and phone calls poured in for him at the book depository. Communications came from every state in the nation and from many foreign countries. People requested autographs and information about the assassination. There were numerous crank messages and offers to buy the shirt Billy was wearing on the day of the assassination, one similar to the shirt Oswald was wearing. The Loveladys answered none of the communications.

Sensation-seeking writers and photographers literally followed Lovelady and his wife, Pat, around. Months later a station wagon with TV equipment occasionally would park in front of their apartment and their doorbell would ring. Others came on foot. Finally, Lovelady disconnected the doorbell.

Time has passed, the furor has died down, and the Loveladys can look back on the sad events with some objectivity. Until now Lovelady has been reluctant to discuss the assassination for fear of stirring up more confusion.

"I WAS able to answer questions to the satisfaction of officials immediately after it happened, but some people were looking for more. I wouldn't want to go through that again," he says.

For Lovelady, Nov. 22, 1963 began as a routine day of filling orders for books, and a noontime break to watch the President's motorcade.

"Some of us were on the sixth floor and at first we were going to watch from the windows there. At the last minute we decided to go down to the front of the building. As the freight elevator passed the fifth floor we saw Oswald still at work. The elevator was slow, and we yelled at him through the iron gate and asked him if he wanted to watch the parade. He said he would be down later. That was about 12 o'clock, I guess.

"Just as the motorcade turned on Elm off Houston and traveled about 25 feet on Elm I heard the first shot and thought somebody was celebrating with a firecracker. Then I saw the President slump, and there were two more shots. For a second or two I couldn't think. I thought the shots came from my right, which would be near the railroad tracks, and everybody began running that way. All of a sudden I wondered what in the world we were doing running toward a gunman. We turned around and ran back and entered the depository through a rear door. There was confusion everywhere. It was only minutes before the police were all around and everyone was accounted for except Oswald.

"WE WERE taken to the police station for depositions and were still there when the police brought him in handcuffed. He

(Indicate page, name of newspaper, city and state.)

"The Dallas Times Herald"
A12 Dallas, Texas

Date: 11/21/71
Edition:
Author:
Editor: Felix R. McKnight
Title:

Character:
or
Classification:
Submitting Office: Dallas

☐ Being Investigated

62-109060-7139

waved his fists in the air as if to say 'Look at me!' I couldn't believe it was the same man who was always so quiet at work.

"You know, he wasn't sociable at all. He was polite enough and would ask and answer questions about work, but there was no getting to know him. I knew his wife was expecting a baby and he was having a hard time financially. I would ask about his wife once in a while. He kept wondering how he would be able to pay the hospital bill and I suggested he probably could get her in aPrkland as charity patient.

"When I started to leave the police station that day, one woman pointed to me and said, 'I don't guess he was the killer. They are letting him go.' I am sure she saw the police take Oswald in and thought I was him. That's the first time it had ever occurred to me there was a resemblance."

Pat Lovelady had watched the motorcade in another part of the city and was on her way back to work when she heard the news.

"I RUSHED to the office radio and heard the description of the man they were looking for and that the shots were fired from the Texas School Book Depository," she recalls. The description fit Billy (clothes and all). Of course I knew there was no way he could be involved, but I got sick all over. I couldn't reach the depository by phone and it was later in the afternoon before he could contact me.

The Loveladys were late getting home that night after eating a snack at a drugstore.

"The FBI was waiting for us when we got there," Lovelady said. "They asked about what had happened on the sixth and fifth floors that day and anything at all I knew about Oswald. Then on Sunday, Nov. 24, they came again with the Altgens photograph and I identified myself in it. Later at their request I went to their offices and had some photographs made."

Just how strong was the resemblance between Oswald and Lovelady? Both were about the same height and weight. Oswald was 24; Lovelady, 26. Both had sandy-blond hair and blue eyes, and the facial bone structure of the two was similar. It could be easy to confuse the pair if you were not acquainted with either and only identifying with photographs.

YET IRONICALLY, there are arguments both ways by those who knew them both well. Once Pat went to the depository to see her husband and she saw Oswald standing with his back toward her. She called her husband's name.

"Oswald turned around and I saw it wasn't Billy.

He told me he thought I had seen the young man but he knew who I wanted. He went and got Billy.

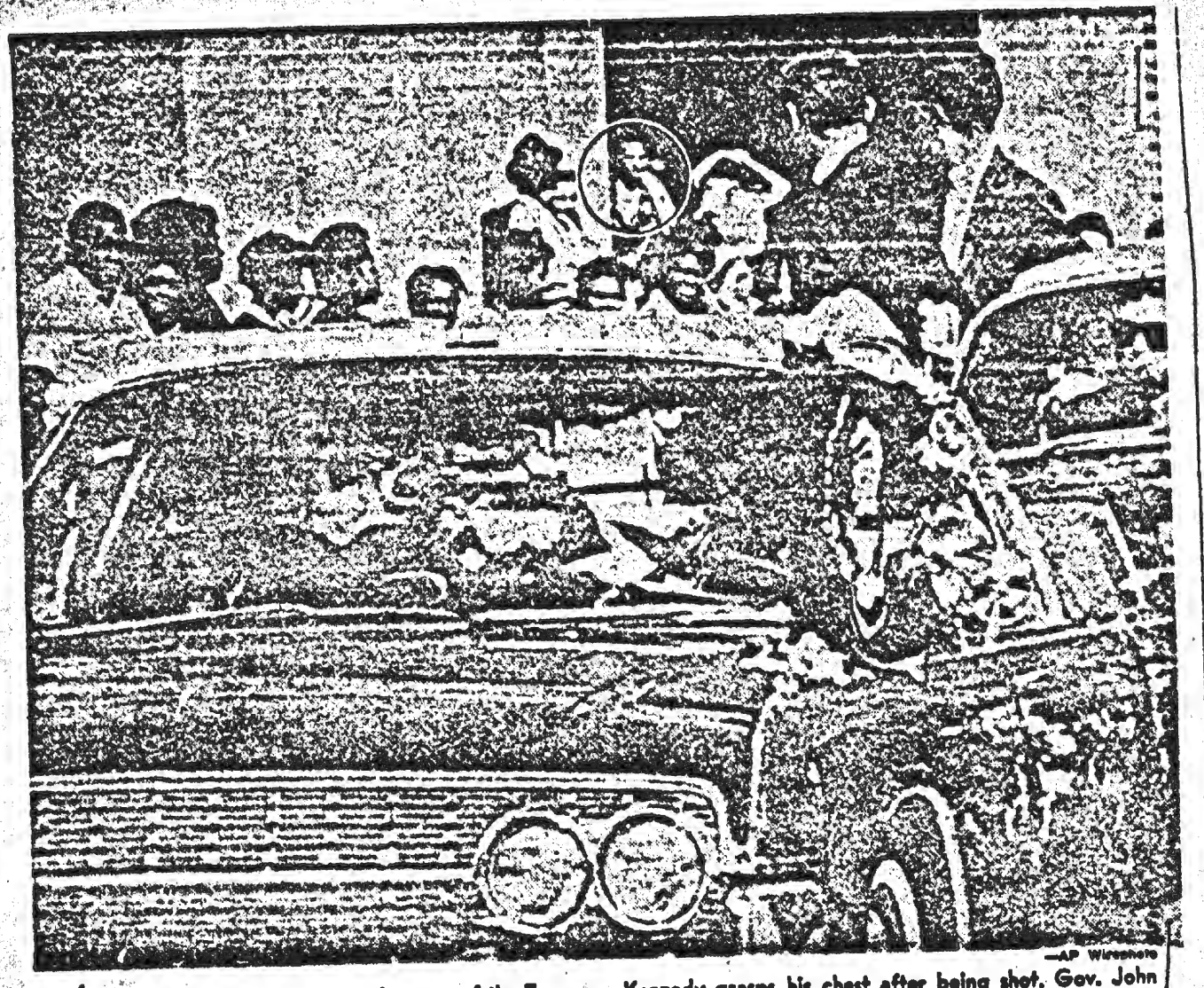
"Our children were very young then, and they showed Oswald's picture on television they pointed to him and said, 'There's Daddy'."

On the other hand, Billy tells the story of the day Oswald's mother visited the depository.

"It was during the Jack Ruby trial and she was in Dallas. She announced she was going to the depository to see the young man who claimed to be the one standing in the doorway. I was standing at the counter when she came in. She asked me where the young man was and I told her he didn't come to work that day. She turned and walked away."

Eight years have passed since the President died in Dallas. The furor for the Loveladys is over and they are living a quiet and happy life in their own home in another neighborhood.

GIANNI VERSACE



—AP Wirephoto

Billy Lovelady (circle) stands in the doorway of the Texas School Book Depository on that fateful day of Nov. 22, 1963. A look-alike of Lee Harvey Oswald, Lovelady also was an employe of the depository. In the car, President Kennedy grasps his chest after being shot. Gov. John Connally has his back to the camera. This dramatic scene was captured by Associated Press photographer James W. Altgens.

—staff photo by bob jackson

Billy Lovelady, mistaken in photographs as Lee Harvey Oswald in the aftermath of President Kennedy's assassination, poses in the Texas School Book Depository doorway where he stood that fateful day eight years ago. Lovelady, now 25 pounds heavier, is wearing the same shirt he wore the day the President was slain.

ENCLOSURE

62-109060-731

UNITED STATES GOVERNMENT

Memorandum

1 - Mr. A. Rosen
1 - Mr. C. W. Bates
1 - Mr. T. E. Bishop
1 - Mr. E. S. Miller

TO: Mr. E. S. Miller

DATE: 11/9/71

1 - Mr. R. L. Shackelford
1 - Mr. W. A. Branigan
1 - Mr. L. Whitson

FROM: W. A. Branigan

SUBJECT: "EXECUTIVE ACTION"
SCREENPLAY BY DONALD FREED
AND MARK LANE
MISCELLANEOUS - INFORMATION CONCERNING

This memorandum briefly reviews a screenplay entitled "Executive Action" presumably prepared by Donald Freed, a well known and widely accepted leader of the New Left movement in Los Angeles, California, and Mark Lane, attorney and author who worked closely with New Orleans prosecutor, James Garrison, in the latter's attempt to capitalize on the murder of President John F. Kennedy through prosecution of New Orleans businessman, Clay Shaw.

Mark Lane published a book "Rush to Judgment" which was highly critical of the Warren Commission and which was reviewed in memorandum from Mr. A. Rosen to Mr. DeLoach, dated October 6, 1966. The book contained discrepancies, false statements and irresponsible claims. It was later made into a movie. Throughout Lane's treatment of the Kennedy murder as a publicity vehicle, he has been vituperatively critical of the FBI.

The script, "Executive Action," combines all of the specious allegations made in the past by Lane and by Garrison regarding the Kennedy murder. The screenplay shows that the murder was plotted by five men known as the "Virginia Group," who presumably represented the industrial "establishment," who utilized three teams of assassins presumably recruited and trained by the Central Intelligence Agency (CIA). Lee Harvey Oswald, the former Marine who defected to the USSR and later returned to the U. S., is shown to be FBI informant number S-172. According to the script, Oswald never fired a shot on November 22, 1963, but was merely framed by the CIA and FBI so that the real assassins could escape. According to the script, the shots were fired

LW:bkr
(8)

62-109060

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DEC 13 1971

62

DEC 2 1971

CONTINUED - OVER

ENCLOSURE

by three teams of men, one on the "grassy knoll" at Dealy Plaza in Dallas, another team was on top of the County Records Building and the third team fired from the Dal-Tex Building. This dramatizes the so-called "triangulation" of fire which has been a talking point by both Lane and Garrison.

The Director of the FBI is referred to as "the fat old lady" who could be co-opted by the conspirators. The script also alleges that the FBI headquarters notified its field offices by teletype November 17, 1963, that an informant had reported a possible attempt on the President's life during his trip to Dallas, November 22. This is false and the former Bureau employee to whom Lane has previously attributed this information denied making such a statement when interviewed by Bureau representatives.

The script also includes in the conspiracy the late David Ferrie, New Orleans sex deviate, and Jack Ruby, Dallas night club owner who killed Oswald.

In fact, the entire scenario is full of falsehoods and would lead one to believe it was concocted by a person who was mentally ill.

ACTION:

For information. Los Angeles Office is following this matter with a confidential source, although source has expressed doubts that the screenplay will actually become a movie.

LW DEM EM SD/GCH PLER WMS

UNITED STATES GOVERNMENT

Memorandum

TO: Mr. Felt

DATE: 1/13/72

FROM: T. E. Bishop

SUBJECT: [redacted]
CHRONIC CORRESPONDENT
Assassination of President John F. Kennedy

Mr. Bob Kushen, National Features Syndicate, Chicago, Illinois, (phone 312-235-7600) contacted the Bureau on January 12, 1972, and spoke to Bland in my office. Mr. Kushen said that among some material that he had received from the office of the Assistant Attorney General of Louisiana in New Orleans made reference to a Letter dated in 1966 from Miss Helen W. Gandy, Secretary, FBI, Washington, to [redacted] Kushen said that he desired to know if this Helen W. Gandy was personally acquainted with [redacted]. He said the reason for his inquiry stemmed from the fact that he had a feeling that [redacted] might be mentally unstable. He said the material that he had from the Assistant Attorney General's office in Louisiana consisted in part of information apparently furnished by this [redacted] concerning the assassination of President John F. Kennedy, and that he was desirous of checking out the possible connection of Helen W. Gandy with [redacted] as it might give him an insight as to her veracity and reliability.

Bureau files show that an appears mental card is maintained concerning [redacted] There are a number of long, generally nonsensical and rambling letters in the file in which she talks about all types of subject matter, including her suppositions and thoughts concerning the assassination of former President Kennedy. The files also show that she is an avid correspondent with a number of Government agencies concerning nonsensical matters.

The files specifically show that an in-absence letter over the signature of Miss Gandy was furnished to [redacted] on July 28, 1966, acknowledging receipt of a letter to the Director of July 15th and pointing

(CONTINUED-OVER)

1 - Mr. Bishop
1 - Miss Gandy
1 - Mr. Malmfeldt

JFB:asg (4)

62-109060

NOT RECORDED
191 JAN 19 1972

87-71197

51 JAN 24 1972

ORIGINAL FILED IN 87-71197-15

out that [redacted] problem did not relate to any Federal law coming within the investigative jurisdiction of the FBI and that Mr. Hoover could not be of any help to her.

Mr. Kushen was advised on 1/12/72 that the letter he referred to from the FBI was merely an acknowledgment of receipt of a communication from [redacted] and that Miss Gandy had absolutely no acquaintanceship or personal knowledge of [redacted] Mr. Kushen expressed his appreciation for this information and said that he thought this was probably the situation and that it would appear to him that [redacted] is a very confused individual.

ACTION

None. For information.

FBI

Date: 12/18/71

Transmit the following in _____ (Type in plaintext or code)

Via AIRTEL AIR MAIL (Priority)

TO: DIRECTOR, FBI

FROM: SAC, HOUSTON (44-3221) (P)

SUBJECT: [redacted]

ReBuairtel to HO, 11/26/71.

Enclosed for the Bureau are two copies of an LHM, which are self-explanatory. One copy was furnished to the USA, Houston.

For background information on the victim, the Bureau's attention is directed to Houston airtel to the Bureau, dated 3/8/71, entitled as follows:

ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY,
11/22/63, DALLAS, TEXAS
MISC INFOR CONCERNING
(Bureau file 62-109060)
(Houston file 62-2115)

airtel to Houston
12/27/71
62-109060
NOT RECORDED
JAN 3 1972

The above articles of [redacted] as to the assassination, which make reference to former SAC GUY BANNISTER being involved in the conspiracy.

16 DEC 23 1971

(2) - Bureau (Enc. 2) (RM)
2 - Houston

ECS:jrs
(4)

58 JAN 6 - 1972

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

ORIGINAL FILED IN

HO 44-3221

The Houston Division will maintain contact with [redacted] Burglary & Theft Division, Houston PD, and obtain a copy of his investigation report, before conducting any additional investigation in this matter.

FBI

Date: 1/19/72

Transmit the following in _____ (Type in plaintext or code)

Via AIRTEL _____ (Priority)

Mr. Mohr
Mr. Bishop
Mr. Miller, T.S.
Mr. Callahan
Mr. Casper
Mr. Conrad
Mr. Dalbey
Mr. Cleveland
Mr. Ponder
Mr. Bates
Mr. Walkart
Mr. Walters
Mr. Soyars
Tele. Room
Miss Holmes
Miss Gandy

TO: DIRECTOR, FBI (62-109060)

FROM: SAC, DALLAS (89-43)(P*)

SUBJECT: ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY
DALLAS, TEXAS
11/22/63
MISCELLANEOUS - INFORMATION CONCERNING

Enclosed for the Bureau are three newspaper clippings described as follows:

(1) "The Dallas Morning News" of 12/22/71, captioned "Oswald Items Worth $3,000".

(2) "The Dallas Morning News" of 12/23/71, captioned "The Oswald Relics".

(3) "The Dallas Morning News" of 1/9/72 captioned "JFK Photos Uphold Verdict, Doctor Says".

The above described articles are furnished the Bureau for information.

REC-60 62-109060-1010

12 JAN 26 1972

3 ENCLOSURE

EX-115

(2) - Bureau (Enc.3)
1 - Dallas
RPG:jls
(3)

FIVE - Exhibits

Approved: _____ Sent _____ M Per _____

55 JAN Special Agent in Charge

U. S. GOVERNMENT PRINTING OFFICE: 1971 — 413-155

(Mount Clipping in Space Below)

Judge Rejects Higher Value

Oswald Items Worth $3,000

U.S. Dist. Judge Joe E. Estes Tuesday limited the sum Lee Harvey Oswald's widow is to receive for Oswald's personal effects to $3,000, asserting more money would create "an additional incentive" for other would-be assassins.

The attorney for Mrs. Marina Oswald Porter, Erich F. Klein Jr., said the decision probably would be submitted for review by the U.S. Fifth Circuit Court of Appeals.

Judge Estes said $3,000 was "just compensation" for Oswald's property taken by the government for use in the investigation of the assassination of President John F. Kennedy in Dallas on Nov. 22, 1963.

The property, including personal letters, a diary, family photographs, a marriage license and contends of Oswald's wallet, was valued at $17,723 three years after the assassination by William B. West III, special master appointed by Judge Estes.

JUDGE ESTES SAID the value had been enhanced from $3,000 before the assassination to $17,723 because of "its association with Oswald and the assassination."

The federal government should not pay a "bounty" for Oswald's personal effects, the jurist said, noting that "the right of the United States to condemn the property has not been challenged.

"To allow an award above the $3,000 stipulated value would create in a depraved mind contemplating the destruction of the life of one of this nation's high officials an additional incentive for the assassination," Judge Estes said, "because the crime assuredly would result in the enrichment of the assassin's spouse or other beneficiary resulting from the enhanced value of his possessions.

"NEITHER THE CONSTITUTION of the United States nor any law or principle of equity requires any such result."

Both Oswald's widow and the government had agreed the property was worth $3,000 before the assassination, which was about $447,000 less than the widow had originally sought when the suit was filed.

The highest appraisal given by West for a single item was $5,000 for "sheets of English writing, both sides of which appear" to be Oswald's diary.

Not included in the items were a Mannlicher-Carcano rifle with a telescopic sight which the Warren commission claimed was used to shoot President Kennedy from a sixth floor window of the Texas Book Depository building.

A FEDERAL JURY in Denver, Colo., in 1969 had ruled that Denver oilman John J. King deserved nothing as "just compensation" for his efforts to obtain the rifle from the government.

King had said he spent $11,350 to try to acquire the rifle and the .38-caliber pistol allegedly used by Oswald to kill Dallas policeman J. D. Tippitt on Nov. 22, 1963, with $10,000 of the money going to Oswald's widow.

The jury awarded King $350 for the pistol. He had demanded $2 million from the government for both weapons.

—EARL GOLZ

(Indicate page, name of newspaper, city and state.)

"The Dallas Morning News"
—Dallas, Texas

6A

Date: 12/22/71
Edition:
Author:
Editor: Jack B. Kruger
Title:

Character:
or
Classification:
Submitting Office: Dallas

☐ Being Investigated

62-109069
ENCLOSURE

1040

Clipping in Space Below

(Indicate page, name of newspaper, city and state.)

"The Dallas Morning News"
Dallas, Texas

2D

Date: 12-23-71
Edition:
Author:
Editor: Jack B. Kruger
Title:

Character:
or
Classification:
Submitting Office: Dallas

☐ Being Investigated

The Oswald Relics

Assassin Lee Harvey Oswald's rifle and personal effects may indeed have a much higher value in the sick-interest market than the $3,000 allowed here to the widow by federal district court.

But the court isn't in the crime-sensation market and has the best of reasons for not being in it.

First, sensation aside, the Oswald relics are nothing more than evidence rightfully seized and held. They are not up for bids.

Second, the government has no business even acknowledging the fictitious value given these drab trifles by people seeking profit.

For the court to pay a sensation bounty because these things belonged to the alleged murderer of a president would be to concede that terrible crimes pay public dividends in unhealthy public barter and interest in a killer's relics. Worse yet, it would be to concede that courts take note of such transactions in terms of reward.

This kind of dismal glamour only tempts other sick minds. If the court had a duty, it was to diminish and discourage any glamorization of the event, the man or his relics. This was done. No conceivable public interest could have been served by the court's stooping to any acknowledgment that private gain had a part in the proceedings.

62-109060-7040

ENCLOSURE

(Mount Clipping in Space Below)

JFK Photos Uphold Verdict, Doctor Says

By FRED P. GRAHAM
© 1972, New York Times News Service

WASHINGTON—The family of the late President John F. Kennedy, which previously had allowed only representatives of the government to inspect pictures and X rays of the assissinated leader's body, has now begun to let interested medical specialists see the items.

Dr. John K. Lattimer, a New York physician who has written and lectured extensively about the assassination, became the first person outside of government auspices to see the items when he examined them Friday in the National archives here.

In an interview Friday night he said that they "eliminate any doubt completely" about the validity of the Warren Commission's conclusion that Lee Harvey Oswald fired all of the shots that struck the President.

The commission found that when Kennedy was killed on Nov. 22, 1963 while riding in a motorcade in Dallas, Oswald did all the shooting, firing from a building behind and above the President.

The 65 X rays, color transparencies and black-and-white negatives taken during the autopsy have been a focus of controversy because the Kennedy family had previously guarded them so closely that not even members and staff officials of the Warren Commission—which was appointed by President Johnson to investigate the assassination—were allowed to see them.

Critics of the Warren Commission's conclusions have charged that the items could disprove its conclusion that the President was struck by only two bullets, both from the rear.

(Indicate page, name of newspaper, city and state.)

"The Dallas Morning News"
—Dallas, Texas

1

Date: 1-9-72
Edition:
Author:
Editor: Jack B. Kruger
Title:

Character:
or
Classification:
Submitting Office: Dallas

☐ Being Investigated

62-109260

ENCLOSURE

MOHO

It has been unofficially explained that the photos were suppressed to spare anguish to the family of President Kennedy, whose head was partially shattered by the second fatal bullet. Lattimer said the wound that blasted away most of the right side of the brain was "horrible," and that the pictures should never be made public.

But he concluded that the Warren Commission might have made a stronger case if the staff personnel who prepared its report had had access to the pictures and X rays. He said the items make three crucial points:

First, the initial bullet passed through the President's body at a distinctly downward angle, more so than the drawings released by the Warren report show. The artist who portrayed the path of the projectile into the back of Kennedy's neck and out the base of his throat made it seem to be travelling almost parallel to the ground, while the pictures show that the front bullet hole is considerably lower than the one in back.

Some critics have asserted that this shot was fired from the front, by a second assassin hiding on a grassy knoll facing the presidential car. Lattimer said that the front hole is so far below the back one that "if anyone were to have shot him from the front they would have had to be squatting on the floor of the car in front of him."

Second, photos of the wound in the back of the neck show "what appears to be a circular bruise which is typical of wounds of entry" he said.

Third, the X rays prove that the front and back bullet holes were made by the same bullet, which passed

through the president's body and left two tiny flakes of metal and air in the tissues along the path between the two holes.

Some critics have suggested that the two bullet holes were made by separate bullets—one fired from the front and one from the rear.

Lattimer was also allowed to see other items that have been shown to only a few persons, but have not been absolutely denied to nongovernmental experts. These included the President's bloody and bullet-punctured clothing, the sole bullet which was found after the shooting, and the President's back brace.

One final item—which was mentioned only in passing during the hearing conducted by former Chief Justice Earl Warren and other members of the commission—gives a revealing insight into the discomfort that Kennedy suffered as a result of his wartime back injury.

The item is a knitted elastic "ace" bandage. Lattimer said he has learned from physicians who gave emergency treatment to the President that he wore this bandage in a tightly-wrapped figure-eight, through his crotch and around the back of his buttocks. Its purpose was to help immobilize his lower spine, but Lattimer said it could also have helped keep him upright after he was hit by the first bullet, so that he was exposed to the second.

Lattimer, who is 57 years old, is the chairman of the Department of Urology at Columbia University's College of Physicians and Surgeons. He became a student of assassinations by firearms after he observed numerous wounds as an Army doctor during World War II.

SAC, Los Angeles (89-75) 1/20/72

REC 25 EX-104

Director, FBI (62-109060) — MOH 1 - Mr. Rowse

ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY
DALLAS, TEXAS
11/22/63
MISCELLANEOUS - INFORMATION CONCERNING

Reurlet dated 1/12/72.

Submit LHM suitable for dissemination giving full details of this matter and fully characterizing the source Edgar Eugene Bradley.

1 - Dallas (For Information)

HGR:fir
(5)

NOTE: Edgar Eugene Bradley, North Hollywood, California, advised our Los Angeles Office that a high official of the U. S. Secret Service has been identified by an informant of Bradley's as [redacted] According to Bradley, [redacted] was transferred from Atlanta, Georgia, to Dallas, Texas, at the time of the assassination of President Kennedy and now is one of the top three men in the U. S. Secret Service. Bradley alleged [redacted] is providing Harold Weisberg information concerning the FBI, which information is being used in a book written by Weisberg blaming the FBI for the assassination of President Kennedy.

Bureau files indicate Bradley is the West Coast representative for Evangelist Carl McIntyre and Bradley was accused by District Attorney James Garrison of New Orleans, as being involved in a plot to assassinate President Kennedy. Bradley has received in the past a large amount of publicity concerning his extradition from California to New Orleans to stand trial in this alleged plot to assassinate President Kennedy.

Tolson
Felt
Rosen
Mohr
Bishop
Miller, E.S.
Callahan
Casper
Conrad
Dalbey
Cleveland
Ponder
Bates
Hart

MAILED 25
JAN 20 1972
FBI

MAIL ROOM ☑ TELETYPE UNIT ☐

67-177111-79 ENCLOSURE

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI (62-109060)

DATE: 1/12/72

FROM : SAC, LOS ANGELES (89-75) (RUC)

SUBJECT: ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY
Dallas, Texas
11/22/63
MISCELLANEOUS - INFORMATION CONCERNING

Mr. Tolson
Mr. Felt
Mr. Bowen
Mr. [illegible]
Mr. [illegible]
Mr. Miller, E.S.
Mr. Callahan
Mr. Casper
Mr. Conrad
Mr. Dalbey
Mr. Cleveland
Mr. Ponder
Mr. [illegible]
Mr. Walkart
Mr. Walters
Mr. Soyars
Tele. Room
Miss Holmes
Miss Gandy

The Bureau is aware of information previously furnished the Los Angeles Office by EDGAR EUGENE BRADLEY, 12208 Emelita Street, North Hollywood, California. Particular reference is made to Los Angeles letter to Bureau dated 1/18/71.

In response to a telephone call to the Los Angeles Office on 1/6/72, BRADLEY was contacted by SA WILLIAM B. FARDY on 1/10/72, and BRADLEY provided the following information:

The high official of the U. S. Secret Service whose identity BRADLEY did not know in previous contact with the FBI has been identified by an informant of BRADLEY's as [redacted]. According to BRADLEY, [redacted] was transferred from Atlanta, Georgia, to Dallas, Texas, at the time of the assassination of JOHN FITZGERALD KENNEDY. [redacted] is now one of the top three men in the U. S. Secret Service and is providing HAROLD WEISBERG information concerning the FBI, which information is being used in a book being written by WEISBERG blaming the FBI for the assassination of President KENNEDY.

REC 25 62-101060-7041

Let to SAC, LA
1/20/72

ET JAN 17 1972

2 - Bureau
1 - Los Angeles

WBP/rsr
(3)

JAN 26 1972

SAC

CRIME RESEARCH

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

1/27/72

Airtel

1- Mr. Rowse

TO: SAC, Albuquerque (89-27)
SI-112 ~~1-EX-112~~ REC-50
FROM: Director, FBI (62-109060) —7042

ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY,
11/22/63
DALLAS, TEXAS
MISCELLANEOUS -
INFORMATION CONCERNING

Reurtel 1/26/72.

You should immediately interview Von Kleist for full details.

Based on available information there is no record of Von Kleist in Bufiles. Submit results of interview in form suitable for dissemination and furnish copies to Dallas and Los Angeles.

1- Dallas
1- Los Angeles
HGR/amm (6)

MAILED 5
JAN 27 1972
FBI

Bc DTP

NOTE: Our AQ Office advised that August Ricard Von Kleist, a former journalist in Los Angeles now residing in Albuquerque, New Mexico, alleges he developed considerable information concerning Lee Harvey Oswald and the assassination of President Kennedy which several Government agencies have been attempting to obtain. The Albuquerque Office indices are negative concerning Von Kleist. Based on available information, there is no record in Bureau files concerning Von Kleist.

Mr. Tolson
Mr. Felt
Mr. Rosen
Mr. Mohr
Mr. Bishop
Mr. Miller, E.S.
Mr. Callahan
Mr. Casper
Mr. Conrad
Mr. Dalbey
Mr. Cleveland
Mr. Ponder
Mr. Bates
Mr. Walker
Mr. Walters
Mr. Soyars
Mrs. Roach
Miss Holmes
Miss Gandy

51 FEB 2 1972

MAIL ROOM ✓ TELETYPE UNIT

January 26, 1972
GENERAL INVESTIGATIVE DIVISION

Attached teletype reports that August Ricard Von Kleist, a former journalist in Los Angeles now residing in Albuquerque, New Mexico, alleges he developed considerable information concerning Lee Harvey Oswald and the assasination of President Kennedy which several Government agencies have been attempting to obtain. The Albuquerque Office indices are negative concerning Von Kleist.

Based on available information, there is no record in Bureau files concerning Von Kleist.

Our Albuquerque Office is being instructed to interview Von Kleist for full details.

HGR:mcl

NR001 AQ PLAIN

11:19AM URGENT 1/26/72 FXH

TO: DIRECTOR (62-109060)

SAC, LOS ANGELES

FROM: ALBUQUERQUE (89-27) P 1P

FBI BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

JAN 26 1972

TELETYPE

ASSASSINATION OF PRESIDENT JOHN FITZGERALD KENNEDY, NOVEMBER TWENTYTWO SIXTYTHREE, DALLAS, TEXAS, MISCELLANEOUS - INFORMATION CONCERNING

AUGUST RICARD VON KLEIST, RESIDING ALBUQUERQUE FOR PAST THREE MONTHS, TELEPHONICALLY ADVISED INSTANT THAT HE IS A FORMER JOURNALIST IN LOS ANGELES AREA AND APPROXIMATELY SIX YEARS AGO DEVELOPED CONSIDERABLE ~~INFO~~ INFORMATION RE LEE HARVEY OSWALD AND ASSASSINATION WHICH SEVERAL GOVERNMENT AGENCIES, INCLUDING FBI, HAVE BEEN ATTEMPTING TO OBTAIN. VON KLEIST STATED HE WOULD NOW MAKE THIS INFO AVAILABLE IF DESIRED. ALBUQUERQUE INDICES ON VON KLEIST NEGATIVE. ~~[illegible]~~ SI-112 REC-50 62-109060-7042

BUREAU AND LOS ANGELES ADVISE ALBUQUERQUE OF ANY BACKGROUND ON VON KLEIST AVAILABLE AND WHETHER INTERVIEW SHOULD BE CONDUCTED.

END

JTG FBI WASH DC

15 JAN 28 1972

MR. ROSEN FOR THE DIRECTOR

cc-MR. BATES

1-27-72 HGB/mmm

NR 033 LA PLAIN

906PM NITEL 1-27-72 JAA

TO DIRECTOR (62-109060)

ALBUQUERQUE (89-27)

FROM LOS ANGELES (89-75) (RUC) 2P

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

JAN 28 1972

TELETYPE

Mr. Felt
Mr. Rosen
Mr. Mohr
Mr. Bishop
Mr. Miller, ES
Mr. Callahan
Mr. Casper
Mr. Conrad
Mr. Dalbey
Mr. Cleveland
Mr. Bowers
Mr. Bates
Mr. Walters
Mr. Walters
Mr. Soyars
Tele. Room
Miss Holmes
Miss Gandy

ASSASSINATION OF PRESIDENT JOHN FITZGERALD KENNEDY, NOVEMBER TWENTY TWO, NINETEEN SIXTY THREE, DALLAS, TEXAS MISCELLANEOUS- INFORMATION CONCERNING.

RE ALBUQUERQUE TEL TO BUREAU, AND LOS ANGELES, DATED JANUARY TWENTY SIX, LAST.

[redacted] RICARD VON KLEIST, FOUR TWO FIVE ONE VERDUGO ROAD, LOS ANGELES, TELEPHONICALLY ADVISED LOS ANGELES OFFICE ON DECEMBER TWENTY SIX, NINETEEN FIFTY ONE, THAT HIS FRIEND [redacted] WAS FORCIBLY HELD IN AN INSANE ASYLUM. UNKNOWN IF THIS PERSON IDENTICAL WITH VON KLEIST. NO OTHER REFERENCES IN LOS ANGELES INDICES FOR VON KLEIST.

END PAGE ONE

REC-66 62-109060-7043

51 FEB 2 1972

LA [redacted]

PAGE TWO

RECORDS, LOS ANGELES POLICE DEPARTMENT AND LOS ANGELES COUNTY SHERIFF'S OFFICE, AND CREDIT BUREAU DO NOT REFLECT ANY RECORD OF AUGUST RICARD VON KLEIST.

THE LOS ANGELES TIMES-MIRROR AND LOS ANGELES HERALD EXAMINER ADVISED VON KLEIST UNKNOWN.

NO GUILD OR ORGANIZATION OF NEWSPAPER WRITERS IN LOS ANGELES AREA EXISTS TO CHECK FOR NAME VON KLEIST.

LOS ANGELES UNABLE TO OFFER REASON FOR INTERVIEW OF VON KLEIST.

END

[redacted]

Auckland,
New Zealand.
24.1.1972.

Assassination of President John F. Kennedy

Dear Mister Hoover,

I know that you belive that there was not conspiracy to kill the President Kennedy but I think that you should know what I have been told by the some of the people who were involved in conspiracy. It is indeed strange that one can think that President Kennedy had been killed by a lonly man when there were many who did not like his policy of peace, racial equolity and better life for all on this planet of us. The story The Grand Conspiracy is true and I hope that you will in the interest of American people accept it as evidence of conspiracy.

Sincerely yours,

[redacted]

DO NOT DETACH

Appears Mental

[redacted]ew Zealand

[redacted] who refuses to believe validity of Warren Commission Report, claims he was visited in New Zealand by President Kennedy, Lee H. Oswald and "Rubie" (sic) prior to the assassination in Dallas. He has made allegations of this nature in letter 11/21/70 and two letters in 12/70. See acknowledgement 12/2/70 over Miss Gandy's signature. (62-109060-6970, 6978; 64-175-320-72)

2-109060-7044

LW:bkr LW

FILE

1 - [illegible]

61 FEB 11 1972

FIVE - BRANCH

2 - 3
1 JAN 26 1972

THE GRAND CONSPIRACY

by

[redacted]

I was a friend of President Kennedy. I was silent all this years about his assassination because of Rubie who told me that should I ever speak about President Kennedy I will finish like him. I have read Warren Commission report in which it is stated that President Kennedy was killed by one man only: Lee H. Oswald. I was surprised to see that all the investigations by the Federal Bureau of Investigation have not discovered the conspiracy of which I knew and President Kennedy.

President Kennedy was for peace, racial equality and better life for all people on Earth. Lee H. Oswald didn't think like that about President Kennedy. After Oswald was in Russia he had come to see me in Auckland and this is what we talked:

" In Moscow they talk a lot about you." Oswald said after he introduced himself to me.

" What they talk about me? " I asked him.

" They talk about your books that you have written for peace. Soviet Union is for peace."

" Yes, I know but United States are for peace also. "

" Not all Americans are for peace. The big capitalists are not for peace. What do you think about President Kennedy? "

" I think that he is good president."

" You think that, do you? Kennedy is for the wall street because he is capitalist. You know what I will do when I come to United States? "

" No I don't know what you will do when you come back to your ex land."

62-109060-7044

" What I will do will rock the world."

" What can you do that will rock the world? "

"You will hear about it in not distant future."

FBI

Of course then I didn't know that Lee Oswald was speaking about pending assassination of my friend John Kennedy. Later on a man told me that President Kennedy is going to be killed in Dallas. Who wanted to kill president who was for peace and economical progress of mankind? It was President Kennedy who gave me the answer on that question. This is what President spoke with me here in Auckland on the street:

" You are my friend, [redacted] !"

" Yes John : I am your friend and the friend of American people. "

" I know that but I must tell you that there are people in America who are against of my policy of peace and good will toward Communist countries. "

" Well...I know that there are people like warmongers but I think that most of the people in America and the rest of the world is for you. "

" They will kill me, [redacted] "

" kill you!? Who will kill you? Are you not protected all the time. "

" I am protected but there is a conspiracy to kill me among very powerfull people and there is even a man who is very close to me who is the head of organised conspiracy. "

" Why do you not arrest them? "

" I cannot because there is no evidence and you must know that president cannot do all that he would like to do. "

" Why are you saying this to me, John? "

" I want you to know that il will die for the people. "

" I see: youwant the people to know that you have died doing youvduty. "

" Yes. "

" I am sorry that you have to die that the policy of peace succeed here on Earth, I will do my best, John, to safeguard your true image in the history. "

It was nigh[illegible]hen Rubio had come to ta[illegible] to me. This is what we talked on the street in front of Capitol theirs film-house:

"You are friend of President Knnedy?"

" I am: he gave me the handshake in Paris American Embassy. Why do you ask me? "

" You are class and I want to help you. "

" To help me in what?"

" To stay alife. I have come to warn you: never talk to any one about President Kennedy. We don't like him in America. "

" How can you say that when he won the election. "

" Election are not important. We don't like his policy that is for negroes and we don't like his world policy that is trying to make peace on earth. "

" I see: you don't like peace when the war could kill us all. I thank you for your warning but you can be sure that I will remain always friend of President Kennedy. You can tell that to your associates. I am for peace like my friend is for peace. "

" I see: you do have class;you are not afraid to die for your principles. I told them that you will be like that. Well all that I have to do is to see that no one ever knows about us who are mxxilxxd involved in conspiracy. "

The tree men: John Kennedy, Lee Oswald, Kubie and I knew the real reasons why President Kennedy was killed in Dallas. The grand conspiracy had killed President and the world once again had come into darkness. President Kennedy indeed was great in his spirit like my King Alexandar of Yugoslavia who also died in France for his people and peace in the world. As King Alexandar had told me about his pending death so my friend Kennedy had told me of his life's end without sorrow. They have died that light may come to all people on Earth.

GENERAL INVESTIGATIVE DIVISION

Edgar Eugene Bradley, North Hollywood, California, is the West Coast representative for right wing evangelist Dr. Carl McIntire. In December, 1967, Bradley was charged by District Attorney James Garrison, New Orleans, Louisiana, with conspiracy in the assassination of President Kennedy.

Bradley previously furnished our Los Angeles Office information from a source of his that Harold Weisberg has been closely associated with District Attorney Garrison and is writing a book blaming the FBI for the assassination of President Kennedy and that Weisberg's information was obtained from a high official in the U. S. Secret Service (USSS). He recently contacted our Los Angeles Office and advised his source stated the high official in USSS is [redacted] Protective Intelligence, USSS, Washington, D. C., who has been extremely friendly and helpful to the Bureau over the years.

Harold Weisberg is a former State Department employee who was fired in 1947 because he was suspected of being a Communist or having communistic sympathies. He currently operates a poultry business in Maryland and is the author of "Whitewash" which was highly critical of the Warren Commission report concerning the assassination of President Kennedy. He also has been critical of the Bureau.

The attached letterhead memorandum is being furnished to the Department and to Secret Service liaison.

:R:mcp

FBI

Date: 1/28/72

Transmit the following in _____ (Type in plaintext or code)

Via AIRTEL AIR MAIL (Priority)

Mr. Tolson
Mr. Bishop
Mr. Mohr
Mr. Callahan
Mr. Casper
Mr. Conrad
Mr. Dalbey
Mr. Cleveland
Mr. Fondle
Mr. Bates
Mr. Wolfert
Mr. Walters
Mr. Soyars
Tele. Room
Miss Holmes
Miss Gandy

TO: DIRECTOR, FBI (62-109060)

FROM: SAC, LOS ANGELES (89-75)(RUC)

RE: ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY,
11/22/63, DALLAS, TEXAS
MISCELLANEOUS - INFORMATION CONCERNING

Re Bureau letter to Los Angeles dated 1/20/72.

Enclosed for the Bureau are original and six copies of a letterhead memorandum dated and captioned as above. One copy of the letterhead memorandum is enclosed for Dallas.

1 ENCLOSURE

REC-53 62-109060-7045

6 FEB 10 1972

3 - Bureau (Encl. 7)(AM)(RM)
1 - Dallas (89-43)(Encl. 1)(Info)(AM)(RM)
1 - Los Angeles

WBF/lel
(5)

3 hrs dictated

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

Bradley said he did not know if there was any truth to the allegations concerning Weisberg. As to Weisberg's background, Bradley advised the Congressional Record of September 29, 1968, contains a speech by Congressman Willis of Louisiana identifying Weisberg as having been removed in 1938 from the La Follette Civil Liberties Commission for making unauthorized disclosures to the "Daily Worker" and also that Weisberg was one of nine men fired from the United States State Department in 1947 for having associations with the Soviets, and that on December 16, 1966, Weisberg had allegedly appeared before a Trotskyite group to discuss his book.

On January 10, 1972, Bradley advised that he learned from his unidentified source that the high official of the USSS is [redacted] According to Bradley, [redacted] was transferred from Atlanta, Georgia, to Dallas, Texas, at the time of the assassination of President Kennedy and is now one of the top three men in the USSS, Washington, D.C.

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to File No.

Los Angeles, California
January 28, 1972

Mr. Tolson
Mr. [illegible]
Mr. [illegible]
Mr. [illegible]
Mr. DeLoach, DS
Mr. Callahan
Mr. Casper
Mr. Conrad
Mr. Dalbey
Mr. Cleveland
Mr. Ponder
Mr. [illegible]
Mr. Walters
Mr. Soyars
Tele. Room
Miss Holmes
Miss Gandy

ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY,
NOVEMBER 22, 1963,
DALLAS, TEXAS

Between December 21, 1967 and January 10, 1972, Edgar Eugene Bradley has contacted the Los Angeles Office of the FBI on several occasions to provide information regarding the assassination of President John F. Kennedy in Dallas, Texas, on November 22, 1963.

Bradley, age 50, 12208 Emelita Street, North Hollywood, California, in December 1967, was charged with conspiracy in the assassination of President Kennedy by District Attorney James Garrison, New Orleans, Louisiana, and since then has conducted his own inquiry concerning allegations against him. In November 1968, Bradley successfully avoided extradition to New Orleans, Louisiana, to face the conspiracy charge.

Bradley, according to an article appearing in the "Valley Times", North Hollywood, California, on December 21, 1967, was reported to be a representative of 20th Century Reformation Hour Broadcast, a world wide christian reformation movement headquartered in Collingswood, New Jersey, and headed by Dr. Carl McIntire who has been accused by critics of being strongly right wing in his political beliefs.

On January 8, 1971, Bradley furnished the Los Angeles Office of the FBI information from an undisclosed source that Harold Weisberg, who resides near Baltimore, Maryland, has been closely associated with District Attorney James Garrison, and is writing a book blaming the FBI for the assassination of President Kennedy. According to Bradley, Weisberg told Bradley's source that he is receiving the information concerning the FBI from a high official in the United States Secret Service (USSS). Bradley's source did not know the identity of this official in the USSS.

100 RAO
SSCH: Dwld
2-4-72
HQR/SZF

62-109060-7045

ENCLOSURE

FBI

Date: 2/2/72

Transmit the following in _____
(Type in plaintext or code)

Via AIRTEL _____
(Priority)

TO: DIRECTOR, FBI (62-109060)

FROM: SAC, ALBUQUERQUE (89-27) RUC

SUBJECT: ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY
11/22/63
Dallas, Texas
MISCELLANEOUS - INFORMATION CONCERNING

REC 89

Re Bureau airtel, 1/27/72, which instructed Albuquerque to immediately interview AUGUST RICARD VON KLEIST for full details concerning his willingness to furnish the FBI certain information in his possession concerning a plot to assassinate President KENNEDY.

By separate communication, the Bureau and interested offices are being furnished information concerning VON KLEIST's alleged harassment by the FBI. This is captioned "BERNARD FENSTERWALD, JR., AKA, IMPERSONATION."

Enclosed for the Bureau are 5 copies and for Dallas and Los Angeles 2 copies of information furnished by VON KLEIST.

VON KLEIST has also made available copies of the letters he received from ROBERT CLAYTON BUICK while BUICK was incarcerated, following his apprehension and conviction for bank robbery in 1966. A review of these letters fails to indicate any information pertaining to a plot involving LEE HARVEY OSWALD and others, and for the most part the letters concern BUICK's

1 ENCLOSURE

REC-89 62-109060-7046

22 FEB 7 1972

(2) - Bureau (Enc. 5) (RAM)
2 - Dallas (Enc. 2) (RAM)
2 - Los Angeles (Enc. 2) (RAM)
2 - Albuquerque
GKM:mcc
(8)

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61 FEB 15 1972

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

U. S. GOVERNMENT PRINTING OFFICE: 1971—413—128

extensive efforts to free himself from prison. There are vague references such as "Ask BILL at what hotel he stayed on his first visit with me to the city. You may note at least two meetings were held during the spring and fall of 1963. Such affairs are and always will be the driving factor of the entire situation." "The departure was to be through Mardi Grasville into the water and onto a bearded island." "This is of course a fact easily confirmed by yours truly and the former valiant soldier." There are also vague promises of "more to come" as soon as BUICK gains his freedom from prison. There are also infrequent references to the two of them getting together with a man named JABLONSKI after BUICK is free. VON KLEIST said this was BUICK's code word for JAMES GARRISON.

In view of the above, the letters will be returned to VON KLEIST and no copies will be made or retained by the Albuquerque Division.

UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to File No.

Albuquerque, New Mexico
February 2, 1972

ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY
November 22, 1963
Dallas, Texas

Informant

On February 1, 1972, August Ricard von Kleist, 13129 Oriente Avenue, NE, Albuquerque, New Mexico, advised he had certain information concerning a plot to assassinate President John Fitzgerald Kennedy. According to von Kleist, this information came to his attention from Robert Clayton Buick, a convicted bank robber on whom he was preparing a story for publication in "True" magazine; however, this story was not accepted by "True" magazine and remains unpublished to date. The story about Buick is not connected with the alleged assassination plot but rather reports he was a bullfighter in Mexico at the same time he was robbing banks in California.

According to von Kleist, Buick and John William Price were guests at the Hotel Luma in Mexico City in March, 1962, when the plot first came to Buick's attention. Von Kleist described John W. Price as a former union steward with the Kaiser Steel Corporation, Fontana, California, but who now works in Ontario, California, as an auditor for a building materials company, where he also lives. Price was also a part-time bartender and it was through this employment that von Kleist became acquainted with him and subsequently with Buick.

Although von Kleist alleged the plot began in March, 1962, the information he furnished indicates the parties did not meet until July, 1963.

The following summary of the plot was furnished by von Kleist. According to von Kleist, he obtained this summary from Buick's sister who told him that when she and her mother visited Buick in jail he told them to write this summary and give it to von Kleist. The sister said they conversed in Serbian and garbled Spanish so that the guards and others were not able to understand them. Von Kleist stated this is an exact

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

62-109060-7046

ENCLOSURE

copy as furnished to him by Buick's sister. It is noted the last paragraph indicates further information coming; however, von Kleist said this was all he ever received.

Hotel Luña, Mexico City, July 1963

Parties included in plot were Alex Hydell, otherwise known as Lee Harvey Oswald; a female attorney who is well known Communist in Los Angeles (blond, about 35 years age at that time); hotel headwaiter, Frity, first name unknown, who owned a launch believed to be shuttling between Mexico and Cuba. Also believed to be involved - Warren Brogie, hotel chain manager; and Richard Case Nagell, former Captain, U.S. Army, associated with Counter Intelligence in Japan in 1959. Barbara Warren was involved with Alex Hydell and Brogie at the time scheme was planned.

Nagell sent letter to J. Edgar Hoover warning him of plot against Kennedy and naming Alex Hydell as one of the assassins. Hydell was not known to Nagell as Lee Harvey Oswald.

The copy of the letter Richard Case Nagell wrote to J. Edgar Hoover on August 13, 1963, informing him of Oswald's plan to kill Kennedy is being held by Nagell's sister, Eleanor Gambert, 82-25 Grand Ave., Long Island, N. Y. * The letter contains information about Oswald, who was named and referred to as Alex Hydell, and advises Hoover that Kennedy would definitely be killed.

The history of Richard Case Nagell is important. While a member of Counter Intelligence in Tokyo, he was dealing with a Soviet attache officer stationed with Russian Embassy in Tokyo at that time. He was approached several times and was

said to have dealt with said Russian officer at to vital information (classified).

A year or so later Nagell, while working for California Alcohol Beverage Control, was shot through the right chest when involved with a Los Angeles police officer because of Communistic implications. He survived gunshot wound and took off to Mexico or Cuba in launch owned by Frity of the Hotel Luna. All of this is and was known by J. Edgar Hoover and FBI.

Nagell was later arrested in El Paso for bank robbery after discharging a firearn in an El Paso bank. He was in Leavenworth Federal Prison for 2½ years and was later brought to El Paso for an appeal. Appeal was denied. From there he was sent to Springfield, Missouri (Federal Prison) and is believed to still be there-(Now listed as mental patient?)

Further information coming on Barbara Warren and a Dr. Fujiyama.

OPERATIONS MEMORANDUM

TO: John T. Minnich
Legal Attache, American Embassy, London

DATE: January 24, 1972

FROM: Bernard J. Fennell
Vice-Consul, Belfast

SUBJECT: Possible New Evidence

REF: Your Memoranda of 11/16/71 and 1/20/72; My OM of 9/16/71

All efforts to contact Mr. Burns at addresses given in my original message and subsequent ones provided by RUC have not been fruitful.

My most recent unsuccessful attempt of January 19 to contact Mr. Burns in an area made uneasy by current civil troubles resulted in unfriendly inquiries by local persons as to what possible interest foreigners could have in whereabouts of Mr. Burns. Therefore, we consider it feasible not to attempt another personal contact at this time. We shall keep you informed on a more regular basis in the future.

File No:
BJFennell/hh

62-109060-7047

FORM DS-
9-

EXCLUDED

UNITED STATE GOVERNMENT

Memorandum

TO : Director, FBI (62-109060) DATE: 2-7-72

FROM : Legat, London (62-358) (RUC)

SUBJECT: ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY,
DALLAS, TEXAS, 11-22-63
MISC. INFORMATION CONCERNING

ReLONlet 11-16-71 [illegible]7036

Enclosed are two copies of Operations Memorandum dated 1-24-72.

In view of the contents of the enclosure, I recommend no further effort be expended to find Mr. BURNS.

1 ENCLOSURE

3 - Bureau (Encs. 2)
1 - Foreign Liaison Desk
1 - London
JTM:ejg
(5)

REC-54

62-109060-7047

FEB 10 1972

FBI

FEB 10 1972

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

2/2/72

AIRTEL

TO: DIRECTOR, FBI

FROM: SAC, ALBUQUERQUE (97-New) P

SUBJECT: BERNARD FENSTERWALD, JR., aka
Bud
IMPERSONATION
OO: Los Angeles

Re Bureau airtel, 2/27/72, captioned "ASSASSINATION OF PRESIDENT JOHN FITZGERALD KENNEDY, 11/22/63, DALLAS, TEXAS, MISCELLANEOUS - INFORMATION CONCERNING," which instructed Albuquerque to interview AUGUST RICARD VON KLEIST for full details concerning his willingness to make available information concerning the assassination of President KENNEDY.

By separate communication, the Albuquerque Office will furnish the Bureau the information VON KLEIST made available concerning the alleged plot involving LEE HARVEY OSWALD and others in the KENNEDY assassination.

On 2/1/72, VON KLEIST, also known as RICK, 13129 Oriente Avenue, NE, Albuquerque, NM, was interviewed at his residence in the presence of his wife MARGARET VON KLEIST. Mr. VON KLEIST stated he is a paraplegic and has now retired following a serious operation in July, 1971. He said at one time he was a United Press Correspondent for the Richmond Bureau in Richmond, Virginia, and also a correspondent for the "Lynchburg, Virginia, News and Daily Advance." He stated he moved from Virginia to Hollywood, California, in 1951 and seven years later moved to Upland, California, where he remained 13 years doing free lance writing.

(3) - Bureau (RAM)
(1 - 62-109060)
2 - WFO (RAM)
1 - Dallas (Info) (RAM)
2 - Los Angeles (RAM)
3 - Albuquerque
(1 - 89-27)

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(11)

62-109060-
NOT RECORDED
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47-

In 1967, he became acquainted with JOHN W. PRICE in Cucamonga, California. VON KLEIST described PRICE as a former Union Steward at the Kaiser Steel Company, who now works as an auditor for a building materials company. PRICE recently moved to Ontario, California; however, at the time, VON KLEIST became acquainted with him, he was a part-time bartender. While dining with his wife one night in a place where PRICE was tending bar, PRICE suggested he write a story on a friend of his, ROBERT CLAYTON BUICK. PRICE thought VON KLEIST could sell this story to one of the adventure story magazines since BUICK was an American citizen who gained a certain amount of fame as a bull fighter in Mexico and at the same time was robbing banks in Southern California.

Subsequently, VON KLEIST contacted BUICK and began preparing an article for "True" magazine. BUICK not only informed VON KLEIST about his life story but also hinted he had information concerning LEE HARVEY OSWALD being part of a conspiracy to kill President KENNEDY. This, of course, intrigued VON KLEIST who thought he could write another story and have it published along these lines.

About this time, according to VON KLEIST, he began to receive harassment from the "Federal Government," which lasted until 1971. According to VON KLEIST, this harassment consisted of having his mail opened and/or delayed. In this regard, he said he contacted the Assistant Postmaster at Upland, California, who at first denied there was any problem but who subsequently told him the FBI was opening his mail. VON KLEIST had Post Office Box 322 at Upland, California. Further, he felt certain his telephone was being monitored because whenever someone tried to make an outgoing call there were always voices in the background and the sound of some machinery, such as a typewriter. Furthermore, while holding telephone conversations, the operator interrupted on several occasions and indicated either he or a member of his family would have to get off the line because of an emergency. At one time the operator indicated there was an emergency involving a member of his family and he should hang up so that the authorities could contact him. He did so immediately but no call came in. When he tried to check this out, the telephone company and local authorities denied any knowledge of the affair. Also, according to VON KLEIST, he and members of his family were under surveillance by "always two men in dark business suits" during this period of time."

In July, 1971, while he was in the hospital having an operation, two men came to his residence in Upland, California, and displayed what Mrs. VON KLEIST believed were FBI credentials. They then entered the residence and proceeded to the bedroom where they forced open a desk by breaking the lock. They said they were looking for "the manuscript," but did not take anything.

VON KLEIST stated he received a letter dated 10/7/68 from BERNARD FENSTERWALD, JR., 4036 North 27th Street, Arlington, Virginia, which stated FENSTERWALD was doing research with respect to the KENNEDY and KING assassinations. FENSTERWALD said it had come to his attention that VON KLEIST and/or ROBERT PLICK may have some very valuable information and it would be appreciated if they could make this available. He entered into correspondence with FENSTERWALD and determined he was a member of a law firm (FENSTERWALD and GILHAUSEN, 927 15th Street, NW, Washington, D. C., 20005). He also received correspondence on letterhead paper of "COMMITTEE TO INVESTIGATE ASSASSINATIONS," which also had the address of 927 15th Street, Washington, D. C. Subsequently, he met FENSTERWALD and according to VON KLEIST, FENSTERWALD displayed to him FBI credentials. Also during the time he was in the hospital, FENSTERWALD contacted his residence and gave his wife a telephone number where he could be reached in Washington, D. C., which he said was the FBI telephone number. Mrs. VON KLEIST claims she verified this was FBI Headquarters in Washington by checking with the telephone company.

In July, 1971, following his release from the hospital, VON KLEIST was determined to put an end to the harassment and discussed it with FENSTERWALD. FENSTERWALD told him that the harassment would stop if VON KLEIST would write him a letter in care of the FBI in Washington, D. C., and state in his letter that he was going to stop investigating the assassination. He was to send a copy of this letter to the Central Intelligence Agency in McLean, Virginia. VON KLEIST said he did not write this letter but did cease his efforts to prepare a story for publication.

About three months ago, VON KLEIST moved to Albuquerque. He said he has not suffered any harassment since his move, but his married daughter, Mrs. DOUGLAS SLATER, who remained in Upland, California, with her husband, called him about a week ago and advised she was still being followed. She further stated, according to VON KLEIST, that a friend of hers whose mother works in the Post Office, asked her what sort of scandal her

parents were involved in since the mother had said the FBI had confiscated all of their mail at the Upland Post Office and thus prevented it from being forwarded to VON KLEIST in Albuquerque.

VON KLEIST also has been in contact with JAMES GARRISON concerning the alleged KENNEDY assassination plot and advised he learned from GARRISON that FENSTERWALD has held the following positions:

Lieutenant in U. S. Navy;
Chief Legal Advisor to Senator EDWARD LONG of Missouri;
Chief Counsel for the Senate Sub-Committee on Administrative Practices;
Department of State Official in the Foreign Policy Division;
Graduate of Harvard Law School

Albuquerque files contain no information concerning VON KLEIST or his wife, or BERNARD FENSTERWALD, JR. The files do indicate ROBERT CLAYTON BUICK was placed on the Ten Most Wanted List by Bureau letter, dated 3/22/66. This letter described him as a former bull fighter who allegedly robbed 20 Southern California federally insured savings and loan associations of over $94,000 between July, 1961 and February, 1966. According to VON KLEIST, BUICK spent most of his incarceration in the United States Penitentiary at McNeil Island, Washington, but was paroled within the last year or so. He said he does not know the current whereabouts of BUICK but felt the San Bernardino Resident Agency would have this information. In this connection, VON KLEIST stated he would appreciate it if the FBI would not advise either BUICK or PRICE that he was furnishing information concerning them to the FBI because he feared they would attempt retaliation against him or members of his family. He also requested no contact be made with his daughter, Mrs. DOUGLAS SLATER (MARTHA), since he felt this would upset her further and could possibly jeopardize her employment. He did not state why he felt this would occur.

VON KLEIST stated he had abandoned all plans for publication of any material he has received from BUICK and that, in fact, he would have to forfeit his Government pension should he receive outside income. He said his purpose in contacting the FBI at this time was to cause an end to the harassment of him and his family, which they have suffered for over four years.

Albuquerque believes that VON KLEIST is sincere but definitely confused and that appropriate investigation should be conducted to determine if, in fact, FENSTERWALD and/or others are identifying themselves as FBI personnel. In this regard, the following leads are set forth:

WASHINGTON FIELD OFFICE

AT WASHINGTON, D. C.

Interview BERNARD FENSTERWALD, JR., to determine the nature of his association with VON KLEIST and ascertain whether he ever displayed FBI credentials or furnished the FBI Headquarters telephone number as being his. Also determine whether he ever advised VON KLEIST that harassment would stop if VON KLEIST would write him a letter in care of the FBI in Washington, D. C.

LOS ANGELES DIVISION

AT UPLAND, CALIFORNIA

Contact Postal authorities to determine whether any checks on the VON KLEIST mail have been made and whether an Assistant Postmaster or other employee told VON KLEIST that the FBI was checking his mail or confiscating his mail.

2/9/72

Airtel

1 - Mr. Huppert

TO: SAC, Albuquerque

FROM: Director, FBI 62-109060 -

EDWARD FENSTERWALD, JR., aka
[illegible]
[illegible]INFORMATION
CC: LA

ReBairtel in captioned matter dated 2/3/72, and Butelcals to WFO and LA dated 2/8/72.

For the information of Albuquerque and Miami, the Bureau, in referenced telephone calls, instructed Washington Field and Los Angeles to disregard leads set forth for these offices by Albuquerque.

A review of Bureau files disclosed that captioned individual was formerly Chief Counsel of the U. S. Senate Committee on the Judiciary; Subcommittee on Administrative Practice and Procedure. During the four years he held this position, Fensterwald frequently contacted the Bureau. During his contacts he exhibited himself as unsympathetic, extremely critical and anti-FBI. In January, 1968, it was learned that a group of individuals were forming the "Committee to Investigate Assassinations." Fensterwald was to be the executive director of this committee, whose [illegible] Jim Garrison, District Attorney, New Orleans; William Turner, former FBI Agent; Fred J. Cook, Author; and others.

Tolson
Felt
Rosen
Mohr
Bishop
Miller, E.S.
Callahan
Casper
Conrad
Dalbey
Cleveland
Ponder
Rosen
Tavel
Soyars
Walters
Sullivan

2 - Washington Field
2 - Los Angeles
1 - Dallas (For information)
1 - Bufile (62-112697)

JDH:fir
(10)

SEE NOTE PAGE TWO. . .

FEB 18 1972 MAIL ROOM TELETYPE UNIT

55 FEB 18 1972

FEB - 9 1972 FBI

55254 - /

ORIGINAL FILED IN //-/-

Airtel to SAC, Albuquerque
Re: Bernard Fensterwald, Jr.,

In view of the above, and, in view of the apparent mental state of August Ricard Von Kleist, the source of information in referenced airtel, it is not felt that this matter should be pursued.

NOTE: By airtel dated 1/27/72, entitled "Assassination of President John Fitzgerald Kennedy, 11/22/63, Dallas, Texas, Miscellaneous - Information Concerning," Albuquerque was instructed to interview August Ricard Von Kleist for information allegedly in his possession concerning the assassination of President Kennedy. This information was furnished to the Bureau by Albuquerque airtel under the Kennedy caption dated 2/2/72.

Von Kleist was interviewed on 2/1/72, concerning the assassination of President Kennedy, at which time he furnished details of his own background. He said he is now a paraplegic, following a serious operation in July, 1971. At the time of interview, Von Kleist desired to furnish details of his harassment by the "Federal Government" which lasted from 1967 to 1971. Von Kleist furnished rambling allegations concerning his having been under surveillance; regarding his telephone being monitored; and reports that "the FBI was opening his mail.", etc. Included in his rambling, were references to Bernard Fensterwald, Jr., Arlington, Virginia, whom Von Kleist claimed displayed FBI credentials to Von Kleist. Von Kleist further alleged that Fensterwald gave Von Kleist's wife a Washington FBI telephone number where Fensterwald could be reached. Washington Field was requested to interview Fensterwald and Los Angeles was requested to conduct investigation at Upland, California, regarding allegation that an assistant Postmaster told Von Kleist that the FBI was checking and/or confiscating his mail.

In view of the nature of statements made by Von Kleist and the unsavory reputation of Fensterwald, it is not felt this matter warrants investigation as an Impersonation case.

FBI

Date: 2/17/72

Transmit the following in _____ (Type in plaintext or code)

Via AIRTEL _____ (Priority)

TO: DIRECTOR, FBI (62-109060)

FROM: SAC, DALLAS (89-43)(P*).

SUBJECT: ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY
DALLAS, TEXAS
11/22/63
MISCELLANEOUS - INFORMATION CONCERNING

OO: DALLAS

Enclosed for the Bureau are the originals of two newspaper clippings described as follows:

(1) "The Dallas Times Herald" of 1/19/72 captioned "Assassination Films Maker Succumbs". This article relates that ORVILLE O. NIX, SR. had died in Dallas on Monday, 1/17/72 and identified him as one of three persons who photographed the assassination of President KENNEDY.

(2) "The Dallas Morning News" of 1/21/72 captioned "Conspiracy Theories Just Roll On". This article reflects comments by JIM WRIGHT, Assistant Editorial Director, concerning the examination of post-mortem pictures and Xrays of President KENNEDY by Dr. JOHN K. LATIMER of Columbia University Medical School.

The above described articles are furnished the Bureau for information.

2 - Bureau (Enc.2)
1 - Dallas
RPG:jls
(3)

62-109060-7048

SI-112
REC-88

12 FEB 21 1972

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

53 MAR 1 1972

U. S. GOVERNMENT PRINTING OFFICE: 1971—413—136

(About Spying in Space Related)

Plots Thicken

Conspiracy Theories Just Roll On

By JIM WRIGHT
Assistant Editorial Director

A NEW YORK physician, recognized as an authority on both the John Kennedy assassination and on gunshot wounds, was allowed to examine the post-mortem pictures and X rays of the murdered president. He found that the conspiracy theories just do not fit the evidence.



WRIGHT

According to Dr. John K. Latimer of Columbia University medical school, the pictures "eliminate any doubt completely" on the validity of the Warren Commission's judgment that Lee Harvey Oswald fired all of the shots that struck President Kennedy.

I'd bet, however, that the latest findings, conclusive as they may be, will not even slow down the conspiracy theories. Conspiracy theorists are not interested in evidence that fails to support their own particular theory.

THOUGH THERE have been as many versions as there are stars in the sky, the basic theory is that the 1963 shooting was done by more than one man.

The Warren Commission's findings to the contrary did not lay this theory to rest. Far from it. By 1966 at the height of the conspiracy chase, a sizable shelf of anti-Commission books had hit the market. Furthermore, these found a ready audience among the public. A poll by Louis Harris in October, 1966, indicated that the American people rejected the Commission's 1-assassin conclusion by a margin of 3-2.

In order to believe in the whitewash point of view with truly fierce dedication it was necessary to accept the assumption that the chief justice of the Supreme Court, leaders of both major parties, highly respected physicians, the FBI, the CIA and the White House all worked together in the most devious and intricate plot of all time to cover up the "real truth."

The conspiracy explanation that always comes up when disaster or misfortune occurs seems to be popular because of two reasons: The theory that evil plotting in high places causes things to go wrong is not only dramatic, but it's a simple explanation, requiring little or no thought.

CONSPIRACY stories are used by adults the way ghost stories are used by youngsters—we can scare ourselves without really having to do any hard thinking about causes and factors.

The readiness to accept conspiracy as the explanation for any violent event is not limited to any century, any party or any income group. Geniuses can leap to unsupported conclusions with just as much agility and foolishness as any dunce.

In their eagerness to believe the worst, conspiracy-chasers have managed to overlook the absence of evidence to support their theories. Some are just as likely to ignore or deny evidence that is directly contrary to their several theories.

That being the case, I doubt seriously that Dr. John Latimer's report on the Kennedy evidence is going to convince

(Indicate page, name of newspaper, city and state.)

"The Dallas Morning News"
—Dallas, Texas

2D

Date: 1-21-72
Edition:
Author:
Editor: Jack B. Kruger
Title:

Character
or
Classification:
Submitting Office: Dallas

☐ Being Investigated

62-1

7048

many of the people who have made a career out of conspiracy theories.

There was a time, not so long ago, when conservatives were said—chiefly by liberals—to be eternally eager to believe in conspiracies as the explanation for all doleful events.

In recent years, though, it has seemed to this not particularly objective judge that progressives have taken all the prizes at finding a conspiracy under every headline.

In addition to all of the feverish activity surrounding the allegations of assassination conspiracy, the more hyperthyroid liberals got a considerable amount of mileage out of "the military-industrial complex."

A very popular conspiracy-villain during the latter half of the 1960s, the MIC (as conspiracy fans affectionately call it) was seen as the secret cause of everything from locusts in Ghana to Junior's trauma in basic training.

Blamed, of course, for all wars, past, present and future, the villains conspiring in the military-industrial plotting rooms were often dramatized in film and novel as would-be traitors, assassins, world conquerors or worse.

Though the military-industrial conspiracy fad took the prize for width and depth during the 1960s, I think the most remarkable conspiracy fashion was the alleged plot of the nation's police to commit "genocide" against the Black Panthers.

THE NEW YORK TIMES, the Washington Post and other national publications carried the story—stating it as an established fact—that 28 Black Panthers had been killed by police in 1968 and 1969. This figure "fact" was in turn picked up by many supposedly responsible liberal spokesmen and civil-rights leaders and the police conspiracy deplored at great length. Speeches about "the series of gun battles," "the lethal, undeclared war," "the open season on Panthers" abounded. Columnist Carl Rowan decried "this nationally orchestrated police campaign to turn the guns on the Panthers and wipe them out."

Finally, after more than a year of this sort of thing, New Yorker magazine sent writer Edward Jay Epstein to track down the truth about the 28. It turned out that the number had come from the Panthers' lawyer, who had given it to newsmen because, as he told Epstein, it "seemed to be a safe number," adding that he believed "the actual number of Panthers murdered by the police is many times that figure."

There simply was nothing there to support the "genocide conspiracy" story. Yet it was trumpeted from coast to coast by the national media for more than a year. Those who used it without questioning it were apparently so eager to believe in the lawyer's story of "a national scheme . . . to destroy and commit genocide" that they shut off all doubts.

Personally, I don't think much of intricate, devilishly clever and hitherto-undisclosed plots in high places as an all-purpose explanation. It isn't that I doubt human capacity for evil and mischief, it's just that I have never seen any humans with the skill and effectiveness to pull off the Satanic conspiracies featured in most of these stories.

WHAT THESE stories ask us to believe is that (1) some evil genius has come up with a perfect plot, taking all contingencies into account, (2) that the organizers have then managed to recruit and train operatives who are able to understand the plot and execute it perfectly and (3) that everybody concerned has kept his mouth shut about it before, during and after.

Requirement (1) is tough, (2) is tougher and (3) is humanly impossible.

It's hard to believe that a species that is all thumbs at making its plans work is suddenly going to turn clever in carrying out its plots and machinations.

(Mount Clipping in Space Below)

Assassination Films Maker Succumbs

Funeral services were conducted in Dallas Wednesday for Orville O. Nix Sr., 60, one of three persons who photographed the assassination of President John F. Kennedy Nov. 22, 1963.

Mr. Nix, an air conditioning engineer for the General Services Administration, died in Dallas Monday. He had suffered a coronary thrombosis six weeks ago.

He and Abraham Zapruder, a dress manufacturer, made movies of the assassination, and a Mary Muchmore, believed to still be alive, made still photos. Mr. Zapruder died last August.

The movies made by Mr. Zapruder and Mr. Nix were used extensively by the Warran Commission in its investigation of the assassination. Because the Zapruder films were made from the front of the presidential car, they were used more extensively. Mr. Nix's film was shot from behind.

Mr. Nix turned over both his camera and the film of the Federal Bureau of Investigation, which took the camera apart. Mr. Nix said it never worked right afterwards and was given a new camera.

The film was used as evidence by New Orleans Dist. Atty. Jim Garrison and others in attempts to disprove the Warren Commission finding that Lee Harvey Oswald probably was the only person who fired shots at the Kennedy car.

Services for Mr. Nix were conducted in the Dudley M. Hughes Funeral Chapel. Burial was in Edgewood Cemetery in Lancaster.

Mr. Nix was a Dallas native and resided at 1716 Argentina.

Survivors are his wife, Mrs. Ella Nix; a son, Orville O. Nix Jr. of Dallas; two brothers, Herschel Nix and Preston Nix, both of Lake Dallas; two sisters, Mrs. Eva Mackey and Mrs. grace Coker, both of Dallas; and three grandchildren.

T. V. [illegible]

(Indicate page, name of newspaper, city and state.)

"The Dallas Times Herald" Dallas, Texas

A25

Date: 1-19-72

Edition:

Author:

Editor: Felix R. McKnight

Title:

Character or Classification:

Submitting Office: Dallas

☐ Being Investigated

62-109

ENCLOSURE

7048

FD-36 (Rev. 5-22-64)

FBI

Date: 2/22/72

Transmit the following in _____
(Type in plaintext or code)

Via AIRTEL AIRMAIL
(Priority)

TO: Director, FBI (62-109060)

FROM: SAC, New Orleans (89-69)

ASSASSINATION OF PRESIDENT JOHN FITZGERALD KENNEDY, DALLAS, TEXAS, NOVEMBER 22, 1963
MISC. - INFORMATION CONCERNING
OO: Dallas

Enclosed for the Bureau is a newspaper article appearing in the New Orleans States-Item concerning captioned matter.

One copy each of this newspaper article is enclosed for Dallas and Miami.

ENCLOSURE

(2) - Bureau (Enc. 1)
1 - Dallas (89-43)(Enc. 1)
1 - Miami (Enc. 1)
1 - New Orleans
ECW:bs
(5)

SI 105

FIVE REC-56 62-109060-7049

6 FEB 24 1972

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

62-109060-1070

(Mount Clipping in Space Below)

Five Years Later:

The Kennedy Probe

(Indicate page, name of newspaper, city and state.)

SECTION TWO
PAGE ONE

THE STATES-ITEM
NEW ORLEANS, LA.

Date: 2/17/72
Edition: COMET
Author: JACK WARDLAW
Editor: WALTER COWAN
Title: J. F. KENNEDY

Character:
or
Classification: 89-69
Submitting Office:

☐ Being Investigated

62-109060-7011

ENCLOSURE

Story by
JACK WARDLAW

DA HERE LAUNCHES FULL JFK DEATH 'PLOT' PROBE

So read the banner headlines in The States-Item five years ago today, breaking a story that attracted worldwide attention and then ignominiously petered out.

Now and then a loose end will reappear, such as one day last month when a New York physician got a look at the cloistered photos of the JFK autopsy records and made momentary headlines.

But for practical purposes, Dist. Atty. Jim Garrison's probe of the assassination of President John F. Kennedy died in he early morning hours of March 1, 1969, when a jury acquitted Clay L. Shaw of a charge of conspiring to kill the President.

GARRISON HIMSELF admitted last year in a federal court hearing, that the probe is no more. He feels, however, that he accomplished much in drawing public attention to what he said were the inadequacies of the Warren Commission Report and to what he considers to be the federal government's attempts to stifle discussion of the issue.

But one could make a case for the opposite view, that Garrison, by staking the reputation of his investigation on the guilt or innocence of Shaw, effectively destroyed the credibility of all Warren Commission critics, forever enshrining that controversial document as the final word on what happened in Dallas Nov. 22, 1963.

Garrison's view, as expressed in his book, "A Hertiage of Stone", (Putnam's, 1970) is that "to misconstrue this verdict ("the Shaw acquittal) as an acquittal of the federal government in its involvement in the assassination of the president and its supression of the evidence would be a serious mistake . . . We saw the verdict as pointing up the impossibility of presenting an espionage case in an American court of law. The burden of proof is too heavy for the state to carry. The average American juror knows little about espionage . . ."

ESPIONAGE? One has to be well into Garrison's logic to figure where the espionage comes in. There was no testimony about espionage at the Shaw trial. The state's inability to introduce such evidence destroyed its case, Garrison says.

How did a case that once had the world's news media beating on our door get reduced to quibbling about espionage and rules of evidence and autopsy reports? It is difficult even now to see it in perspective. But here's how the story unfolded:

One could date the origins of the tale from Oct. 18, 1939, when a boy named Lee Harvey Oswald was born here. After an unhappy childhood in which he was shunted in and out of orphanages and to various members of his family, he attended Warren Easton High school and was part of a Civil Air Patrol unit in which he may or may not have met a man named David W. Ferrie.

OSWALD ENTERED the U.S. Marine Corps in 1956, beginning a bizarre chain of events that was to lead him to Dallas on that fateful Nov. 22. His travels took him to the Soviet Union and back to the U.S., with another period of residence in New Orleans from April, 1962, until September, 1963. From this period sprang the Garrison investigation.

Oswald was arrested in Dallas shortly after Kennedy was shot and two days later was shot down himself in a Dallas police station by nightclub operator

Jack Ruby. Meanwhile, in New Orleans, Ferrie was arrested 72 hours after the assassination because he had made a mysterious trip to Texas and back that week. He was questioned and released. Ferrie was found dead Feb. 22, 1967, five days after the Garrison investigation became public.

From these slim threads began the Garrison drama. The DA says he became interested in the assassination after U.S. Sen. Russell B. Long raised questions about the Warren Report in November, 1966.

He launched an investigationn, which remained under cover until Feb. 17, when The States-Item disclosed it in a copyrighted story by Jack Dempsey, Rosemary James and David Snyder.

THE ATTENTION of the national and international press was attracted, but the reporters sent in had considerable trouble analyzing the situation and were about ready to give up when Ferrie spiced things up by mysteriously dropping dead. (The death was from natural causes, it later was ruled.)

Garrison dropped his next bombshell March 1 by arresting Shaw, a respected businessman. There followed a sensational preliminary hearing which resulted in Shaw being bound over for trial. Legal haggling held up the trial for nearly two years, but it finally occurred and Shaw was acquitted March 1, 1969.

Garrison's version of the assassination emerged by bits and pieces during this period, he maintaining that Shaw was not the center of the affair, that there would be more arrests and more disclosures. But in the end, only Shaw was arrested and Garrison's elaborate critique of the Warren Commission went down with his Shaw charges.

AS IT FINALLY emerged, Garrison's view of the assassination was that it was engineered by a combination of Cuban exiles unhappy over the Kennedy administration's lack of action against Fidel Castro and certain elements connected with the Central Intelligence Agency deeply involved in anti-Castro activity.

Oswald, in this framework, was not a defector as the Warren Report said, but a CIA man sent into Russia for the CIA's reasons and then used as a patsy in the assassination plot.

Shaw's role, Garrison charged, was in conspiring with Oswald and Ferrie to further some New Orleans phase of the operation, the purpose of which was never really made clear. It was this charge that the New Orleans jury lost no time in rejecting.

The Warren Commission, Garrison contended, joined with the FBI and CIA in a vast coverup operation to keep the American people from learning the horrible truth — that an arm of the government, the CIA, was deeply involved in the assassination.

THE KEYSTONE of the Garrison argument was not the alleged Shaw-Ferrie-Oswald meetings, but the events in Dealey Plaza. He sought to show that Oswald could not have been the lone assassin described in the Warren Report, and that Kennedy was in fact shot from the front, not from the rear where Oswald was unquestionably located.

It was to this point that Dr. John K. Lattimer, a New York physician who has written and lectured extensively about the assassination, addressed himself last month.

Dr. Lattimer became the first person not under government auspices to inspect the Kennedy autopsy records being held in the National Archives in Washington.

Dr. Lattimer, of Columbia University's College of Physicians and Surgeons, said the photographs "eliminate any doubt completely" about the validity of the Warren Commission's conclu-

sion that Oswald fired both the shots that struck the president.

HE AGREED with Garrison only on the point that the Warren Commission's experts should have consulted the records before reaching their conclusion.

Dr. Lattimer said the first bullet, which passed through the president's body, did so at a distinctly downward angle, much more so than shown in the drawings released with the Warren Report. In order for the assassin to have shot from the front, he said, he would have had to have been squatting on the floor of the car in front of Kennedy.

The second wound, which killed the president, he said was shown by the photos to be definitely an entry wound, proving it also came from the rear.

During the Shaw trial, then assistant Dist. Atty. Alvin V. Oser contended there were three gunmen firing at Kennedy, at least two of them in front of him, and that the fatal wound was inflicted from the front.

THE MATTER of the shots coming from the front was central to Garrison's thesis about the events in Dealey Plaza. The Shaw charges were central to his thesis that there was a New Orleans-based conspiracy. Taken together, the jury's verdict and Dr. Lattimer's opinions, if valid, would seem to blow the whole thing apart.

There are many questions that will not probably never be answered. What were Ferrie and Oswald up to in New Orleans? Even if fired from the rear, how could a single bullet have passed through JFK's body, badly wounded then Texas Gov. John Connally and emerged intact? What, after all, motivated Oswald and Ruby? It is now almost certain we will never know.

It is interesting to note what has happened to the principals in the case after five years. Oswald, Ferrie and Ruby are all dead. Here is what has happened to some of the others:

—GARRISON, re-elected as DA in 1969, suffers from a back ailment and is seldom seen in public. Last year, he was indicted by a federal grand jury on bribery charges in connection with pinball gambling operations. He says this is federal persecution stemming from the Kennedy probe.

—SHAW has rehabilitated himself as a civic leader, taking on an important French Market development post under Mayor Moon Landrieu.

—JAMES L. ALCOCK, chief prosecutor in the Shaw case, was appointed to a Ciminal Court judgeship but was defeated at the polls.

EDWARD A. HAGGERTY JR., presiding judge in the Shaw trial, was removed from office after being caught in a vice raid, though he was cleared of criminal charges. He sought re-election but was defeated in the same race as Alcock.

—CONNALLY is now Secretary of the Treasury and considered a possibility for a spot on a national ticket in the 1972 or 1976 presidential elections.

—JAMES PHELAN, the writer who in the Saturday Evening Post exposed the famous "Sciambra memorandum" is now a key figure in the Howard Hughes-Clifford Irving scandal. Assistant DA Andrew "Mumu" Sciambra interviewed the state's key witness in the Shaw trial, Perry Raymond Russo, extensively and wrote Garrison a memo without mentioning Shaw, Phelan revealed. Testimony subsequently substantiated this.

Shaw still has a damage suit pending against Garrison and the U. S. Supreme Court still has not ruled on whether Garrison can prosecute Shaw for perjury in connection with his testimony at the trial.





Jack Ruby guns down Lee Harvey Oswald in Dallas police station on Nov. 24, 1963.



Jim Garrison



Clay L. Shaw

TRUE COPY

Dear Mr. Hoover, . Tuesday, Feb. 29, 1972

I am an eighth grader at Faircrest Mem. Jr. High in Canton, Ohio & as a future voter & future citizen, I believe the United States Govt. owes every citizen & myself a better description of the Kennedy Assaination, better than that of the Warren report. There are several incidents either leading up to or directly involved with this incident which have not been explained to its fullest.

(1). The Clay Shaw - Garrison collision in Louisiana. Why did Garrison bring Clay Shaw up for heading the conspiricy to kill Kennedy?

(2). Is there any truth that Lee Harvey Oswald was employed as a C.I.A agent to observe among other things, The U-2 overflights of 1960? One of these in particular. The Gary Francis Powers incident of 1960 & why was he in the U.S.S.R. at the time. (Lee Harvey Oswald)

(3.) What was the connection, if any between Dallas Policeman Tippit & Jack Ruby? Why was Tippit almost always punching a cash register in Rubie's place of buissness?

(4.) Why are the "findings" of the Warren Commision under lock & key until substantially past the year 2000?

Unless questions such as these & many many more are made public, We as young people will become increasingly more skeptical of our Goverment & its information bureaus.

Respectfully yours,

Assassination of [illegible]

Harry Campbell
5345 Dueber S.W.
Canton, Ohio 44706

TRUE COPY 62-109060-7050

REC-103

MAR 7 1972

Dear Mr. Hoover, Tuesday, Feb 29, 1972

I am an eighth grader at Faircrest Mem. Jr. High in Canton, Ohio & as a future voter & future citizen, I believe the United States owes every citizen & myself, a better description of the Kennedy assassination, better than that of the Warren report.

There are several incidents either leading up to or directly involved with this incident which have not been explained to its fullest.

(1). The Clay Shaw - Harrison collision in Louisiana. Why did Harrison bring Clay Shaw up for leading the conspiracy to kill Kennedy?

(2). Is there any truth that Lee Harvey Oswald was employed as a C.I.A agent to observe among other things, the U-2 overflights of 1960? One of these is rumored to Gary Francis Powers's visit of 1960 & why was he in the U.S.S.R. at the time. (as Harvey Oswald)

Ltr 3/3/72
from
ack 3/6/72
LEE: mm

NM

CORRESPONDENCE

(3.) What was the connection, if any between Dallas Policeman Tippit & Jack Ruby? Why was Tippit almost always punching a cash register in Rubis place of business?

(4.) Why are the "findings" of the Warren Commission under lock & key until substantially past the year 2000?

Unless questions such as these & many many more are made public, We as young people will become increasingly more skeptical of our Government & its information bureaus.

Respectfully yours,

Harry Campbell

5345 Dueber S.W.
CANTON, OHIO
44706

REC-103 62-109060-7050

March 6, 1972

Mr. Harry Campbell
5345 Dueber, Southwest
Canton, Ohio 44706

Dear Harry:

I have received your letter of February 29th and appreciate the interest which prompted you to write.

With respect to your inquiries, I can tell you the FBI, at the direction of President Johnson, conducted a prompt, intensive, objective and thorough investigation of the assassination of President Kennedy. The results of this investigation were accurately reported to the Warren Commission, and not one shred of evidence has been developed to link any other person in a conspiracy with Lee Harvey Oswald to assassinate President Kennedy. All available evidence and facts point to one conclusion--that Oswald acted alone in his crime.

The results of our inquiry into this matter were subsequently made available to the National Archives by the Warren Commission and the FBI has no authority to independently release any information contained in these reports.

Sincerely yours,

J. Edgar Hoover

FILED 23
FBI

NOTE: Bufiles contain no record correspondent.

LEE:sel (3)

Mr. Tolson
Mr. Felt
Mr. Rosen
Mr. Mohr
Mr. Bishop
Mr. Miller, E.S.
Mr. Callahan
Mr. Casper
Mr. Conrad
Mr. Dalbey
Mr. Cleveland
Mr. Ponder
Mr. Bates
Mr. Kaiser
Mr. Walters
Mr. Soyars
Tele. Room
Miss Holmes
Miss Gandy

MAIL ROOM ☐ TELETYPE UNIT ☐

FD-36 (Rev. 5-22-64)

FBI

Date: 3/24/72

Transmit the following in _____
(Type in plaintext or code)

Via AIRTEL AIRMAIL
(Priority)

TO: Director, FBI (62-109060)

FROM: SAC, New Orleans (89-69)

ASSASSINATION OF PRESIDENT JOHN
FITZGERALD KENNEDY, DALLAS, TEXAS,
NOVEMBER 22, 1963
MISC. - INFORMATION CONCERNING
OO: Dallas

Enclosed for the Bureau is a newspaper article appearing in the Times Picayune, New Orleans, La., concerning captioned matter.

One copy each of this newspaper article is enclosed for Dallas and Miami.

EX-101

EX-111

JENCKS MATERIAL

REC-30 62-109060-7051

5 MAR 27 1972

(2) - Bureau (Enc. 1)
1 - Dallas (89-43)(Enc. 1)
1 - Miami (Enc. 1)
1 - New Orleans
ECW:bs
(5)

70 APR 13 1972

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

GPO: 1970 O - 000-000

(Mount Clipping in Space Below)

ASSASSINATION CASE CRITICIZED

TU Professor Says DA Took Paranoid View

Dist. Atty. Jim Garrison's probe into the assassination of President John F. Kennedy came under scrutiny here Friday by a Tulane University history professor.

Prof. Bennett H. Wall made his comments in a 23-page paper entitled "The Garrison Investigation: Who Killed John F. Kennedy?" which he delivered to the annual meeting of the Louisiana Historical Association at the Fairmont Roosevelt Hotel.

Obviously disagreeing with Garrison's contention that a New Orleans-based conspiracy planned the slaying, Wall continually criticized the district attorney's case.

He said the conspiracy thesis stems from "a national syndrome about political murder."

'REALITY DESTROYED'

"Leaders who are martyred became mythologized," Wall noted. "The demands of a grieving populace destroy all reality and the illusions take over. . . . In my personal opinion, it was the myth and not the reality that led to the famous (Clay) Shaw trial in New Orleans."

The professor said New Orleanians love fantasy, adding, "Certainly, New Orleans is one of the few places in the United States where a three-year-plus legal circus could be held."

The most vocal skeptics of the assassination report issued by the Warren Commission were European Communists and New Orleans right-wingers, Wall contended.

He said Garrison took "a paranoid view of history" in formulating his theory on the Kennedy assassination.

Wall also had criticism for the Warren Commission, the Kennedy family, Garrison's witnesses in the case, the Secret Service, the FBI, the Dallas police deprtment and the legal system that allowed the conspiracy case against Shaw to come to trial.

'NO VALID WITNESS'

Attacking the validity of Garrison's case, Wall said, "If there is a credible witness in the lot, I fail to see one."

The professor also referred to the contribution by Gov. John McKeithen of $5,000 from state funds for the Garrison probe. "I have yet seen in print no accounting of these latter 'public' funds," he said.

Wall said Garrison selected the starting date of the Shaw trial—Jan. 21, 1969—because it was the day President Nixon took office. He said Garrison feared that President Lyndon B. Johnson would intervene in the case.

Wall never specifically answered the question of who killed Kennedy, but he said "an answer must be found" to the problem of assassinations.

He said neither closer guarding of public figures nor forcibly detaining suspects is the solution because of the infringement of constitutional rights involved.

(Indicate page, name of newspaper, city and state.)

PAGE 4

SECTION 1

THE TIMES PICAYUNE

NEW ORLEANS, LA.

Date: 3-18-72
Edition:
Author:
Editor: GEORGE W. HEALY, JR.
Title: ASSASSINATION OF PRESIDENT JOHN F. KENNEDY, TEXAS,
Character: 11-22-63
or
Classification: 89-69A
Submitting Office:

☐ Being Investigated

ENCLOSURE

62-109060-751

April 7, 1972

GENERAL INVESTIGATIVE DIVISION

Attached relates on afternoon of 4-3-72, Robert P. Smith, who identified himself as being associated with Committee to Investigate Assassinations, Washington, D.C., telephonically requested interview of Agent of our Dallas Office to discuss various aspects of assassination of President Kennedy. Smith was advised this matter could not be discussed with him and he was referred to the Department of Justice.

Bureau files characterize the Committee to Investigate Assassinations as a group which believes that a conspiracy existed in the assassination of President Kennedy, Martin Luther King, and Robert Kennedy. Members of this committee have attempted unsuccessfully to obtain information under the Freedom of Information Act.

Criminal Division of Department being advised.

I would not show any of this material to Smith if he requests it. He will be referred to the Bureau. Hell no!

RJP:erg

1 ENCLOSURE

1 XEROX

NOV 29 1972

62-109060-7052

FD-36 (Rev. 8-31-66)

FBI

Date: 4/4/72

Transmit the following in _____ (Type in plaintext or code)

Via AIRTEL _____ (Priority)

Mr. Tolson
Mr. Conrad
Mr. Campbell
Mr. Rosen
Mr. Mohr
Mr. Bishop
Mr. Miller, E.S.
Mr. Callahan
Mr. Casper
Mr. Conrad
Mr. Dalbey
Mr. Cleveland
Mr. Ponder
Mr. Bates
Mr. Walker
Mr. Walters
Mr. Soyars
Tele. Room
Miss Holmes
Miss Gandy

TO: DIRECTOR, FBI (62-109060)

FROM: SAC, DALLAS (89-43)(P*)

SUBJECT: ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY,
DALLAS, TEXAS
11/22/63
MISCELLANEOUS - INFORMATION CONCERNING

Office of Origin:
OO: Dallas

Reference Bureau letter 62-112697-6
Re Bulet to Dallas 8/12/71 captioned "Committee to Investigate Assassinations, 927 15th Street N.W., Northwest Washington, D.C. 20005, Miscellaneous - Information Concerning".

On the afternoon of 4/3/72 an individual identifying himself as ROBERT P. SMITH of the aforementioned committee, telephonically requested an interview with SA ROBERT P. GEMBERLING, stating he desired to discuss various aspects of the assassination of President KENNEDY in an effort to resolve some questions that have arisen concerning same. Mr. SMITH was advised that due to the fact the information known to SA GEMBERLING was obtained through his official duties he would not be permitted to consent to such interview without appropriate authority.

Mr. SMITH subsequently was informed on the morning of 4/4/72 that Departmental Order #381-67 dated 6/29/67 prohibited discussion of captioned matter by SA GEMBERLING. Mr. SMITH was advised that should he desire, he could consult the Department of Justice concerning same.

REC-37 62-109060-7052

The above is for the information of the Bureau.

SI-III

2 - Bureau
1 - Dallas
RPG:jls
(3)

cc: Mr. Bishop
Mr. Rosen
ENCLOSURE

62 APR 8 1972

Dictated to DL 4-10-72 DTP.mel

XEROX

Approved: _____ Sent _____ M Per _____

NOV 29 19 Special Agent in Charge

U.S. GOVERNMENT PRINTING OFFICE: 1969 O - 341-152

62-112697-1
NOT RECORDED
THIS COPY CONTAINS

AIRTEL

4/10/72

TO: SAC, DALLAS (89-43) 1 - Mr. Perrine

FROM: DIRECTOR, FBI (62-109060)

ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY
DALLAS, TEXAS, 11/22/63
MISCELLANEOUS - INFORMATION CONCERNING

Re Dallas airtel 4/4/72.

Under no circumstances shall any member of the "Committee to Investigate Assassinations", 927 15th Street, Northwest, Washington, D. C., be permitted to interview personnel of this Bureau.

DTP:mcl
(4)

NOTE: See General Investigative Division note dated 4/7/72, RJP:erg.

MAILED 5
APR 10 1972
FBI

58 APR 13 1972

MAIL ROOM ☑ TELETYPE UNIT ☐

XEROX
NOV 29 1972

UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

WASHINGTON, D.C. 20535

March 27, 1972

Mr. Robert P. Smith
Committee to Investigate Assassinations
927 15th Street, N. W.
Washington, D. C. 20005

Dear Mr. Smith:

Reference is made to your letter dated March 22, 1972, requesting information concerning test data resulting from neutron activation analysis in connection with the investigation of the assassination of President Kennedy.

By order of the Department of Justice all files of the Federal Bureau of Investigation are under the custody of the Attorney General and cannot be released without his permission. You may wish to direct your request to the Attorney General.

Sincerely yours,

J. Edgar Hoover

John Edgar Hoover
Director

62-109060

APR 14 1972

FBI

Date: 4/19/72

Transmit the following in _____ (Type in plaintext or code)

Via AIRTEL _____ (Priority)

TO: DIRECTOR, FBI (62-109060)

FROM: SAC, DALLAS (89-43)(P*)

SUBJECT: ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY
DALLAS, TEXAS
11/22/63
MISCELLANEOUS - INFORMATION CONCERNING

OO: DALLAS

Re Dallas airtel to Bureau 4/4/72 and Bureau airtel to Dallas 4/10/72.

Enclosed for the Bureau is a copy of a letter received by SA ROBERT P. GEMBERLING on 4/14/72 from ROBERT P. SMITH of the "Committee to Investigate Assassinations", 927 15th Street N.W., #409, Washington, D.C., dated 4/12/72, and a copy of the enclosures described therein with the exception of the newsletter referred to which is being retained in Dallas file because it does not appear pertinent at this point.

The material enclosed with Mr. SMITH's letter is described as follows:

Copy of letter from ROBERT P. SMITH to the Honorable RICHARD KLEINDIENST, Deputy Attorney General, dated 4/11/72.

Copy of Bulet to ROBERT P. SMITH dated 3/27/72.

Copy of each of three forms, DJ-118, further identified as RPS #1, RPS #2, and RPS #3.

The above is furnished for the information of the Bureau.

62-109060-7053

ENCLOSURE

REC-33

EX-109

8 APR 21 1972

2 - Bureau (Enc.6)
1 - Dallas
RPG:jls
(3)

Approved: _____ Sent _____ M Per _____

Special Agent in Charge

U. S. GOVERNMENT PRINTING OFFICE: 1971—413—128

U. S. DEPARTMENT OF JUSTICE
WASHINGTON, D. C. 20530

In reply, please refer to: RPS #1

REQUEST FOR ACCESS TO OFFICIAL RECORDS
UNDER 5 U.S.C. 552(a) and 28 CFR PART 16

See instructions for payment and delivery of this form at bottom of page

NAME OF REQUESTER	ADDRESS (street, city, state and zip code)
Robert P. Smith	927 15th St. NW, Room 409 Washington, D. C. 20005
DATE April 11, 1972	

DO YOU WISH TO RECEIVE COPIES? ☒ YES ☐ NO IF YES, SO INDICATE (no more than 10 copies of any document will be furnished).	NUMBER OF COPIES REQUESTED	OFFICE AND CITY WHERE RECORD IS LOCATED (if known)
	One (1)	Dept. of Justice (FBI) Washington, D. C.

DESCRIPTION OF RECORD REQUESTED (Include any information which may be helpful in locating record)

Any FBI Laboratory reports, quantitative test data, and detailed laboratory findings resulting from the neutron activation analyses (NAA) conducted on the paraffin casts taken by the Dallas Police of the hands and right cheek of Lee Harvey Oswald in connection with the investigation of the assassination of President Kennedy. Further description of these tests, but without the quantitative test data and detailed findings is found on page 562 of the Warren Report and in the testimony of Special Agent John F. Gallagher on pages 746 - 752 of Volume XV of the Warren Commission Hearings.

LITIGATION: DOES THIS REQUEST RELATE TO A MATTER IN PENDING OR PROSPECTIVE LITIGATION? ☐ YES ☒ NO

FILL IN IF IN PENDING → LITIGATION	COURT (check one) ☐ FEDERAL ☐ STATE	DISTRICT	NAME OF CASE	DOCKET NUMBER

Robert P. Smith
SIGNATURE

FOR USE BY DEPARTMENT OF JUSTICE ONLY

THIS REQUEST IS:

☐ GRANTED

☐ DENIED

☐ REFERRED

A MINIMUM FEE OF $3.00 MUST ACCOMPANY THIS REQUEST. OTHER CHARGES ARE AS FOLLOWS. (do not write in this box)

FOR SECOND AND EACH ADDITIONAL ONE QUARTER HOUR SPENT IN SEARCHING FOR OR IDENTIFYING REQUESTED RECORD $ 1.00	
FOR EACH ONE QUARTER HOUR SPENT IN MONITORING REQUESTER'S EXAMINATION OF MATERIAL $ 1.00	
COPIES OF DOCUMENTS: 50¢ FIRST PAGE, 25¢ EACH ADDITIONAL PAGE	
FOR CERTIFICATION OF TRUE COPY $ 1.00 EACH	
FOR ATTESTATION UNDER THE SEAL OF THE DEPARTMENT $ 3.00 EACH	
GSA CHARGE	
TOTAL CHARGE	

Payment under this section shall be made in cash, or by United States money order, or by check payable to the Treasurer of the United States. Postage stamps will not be accepted.

This form may be delivered to any of the offices listed in 28 C. F. R. 16.2 or mailed to: Office of the Deputy Attorney General, Department of Justice, Washington, D. C. 20530

APR 14 1972

(Ed. 7-6-67)

U. S. DEPARTMENT OF JUSTICE

WASHINGTON, D. C. 20530

REQUEST FOR ACCESS TO OFFICIAL RECORD UNDER 5 U.S.C. 552(a) and 28 CFR PART 16

In reply, please refer to: RFS #2

See instructions for payment and delivery of this form at bottom of page

NAME OF REQUESTER	ADDRESS (street, city, state and zip code)
Robert P. Smith	927 15th St. NW, Room 409 Washington, D. C. 20005
DATE April 11, 1972	

DO YOU WISH TO RECEIVE COPIES? ☒ YES ☐ NO IF YES, SO INDICATE (no more than 10 copies of any document will be furnished).	NUMBER OF COPIES REQUESTED	OFFICE AND CITY WHERE RECORD IS LOCATED (if known)
	One (1)	Dept. of Justice (FBI) Washington, D. C.

DESCRIPTION OF RECORD REQUESTED (Include any information which may be helpful in locating record)

a) Warren Commission Document No. 1269, otherwise described as a memorandum entitled "Lee Harvey Oswald" and relating to the location of photographs of a bone specimen found in Dealey Plaza, Dallas, Texas on 11/23/63, forwarded with letter from Director, FBI, dated 7/21/64, and including attached photographs;

b) Page 150A of the report of Special Agent Robert P. Gemberling dated 11/30/63 at Dallas, Texas, which page is referred to at page 54 of Warren Commission Document No. 1395 and at page 46 of Document No. 1518 but is not included in the materials filed at the Natio Archiv

LITIGATION: DOES THIS REQUEST RELATE TO A MATTER IN PENDING OR PROSPECTIVE LITIGATION? ☐ YES ☒ NO

FILL IN IF IN PENDING → LITIGATION	COURT (check one) ☐ FEDERAL ☐ STATE	DISTRICT	NAME OF CASE	DOCKET NUMBER

Robert P. Smith
SIGNATURE

FOR USE BY DEPARTMENT OF JUSTICE ONLY THIS REQUEST IS:	A MINIMUM FEE OF $3.00 MUST ACCOMPANY THIS REQUEST. OTHER CHARGES ARE AS FOLLOWS. (do not write in this box)
☐ GRANTED	FOR SECOND AND EACH ADDITIONAL ONE QUARTER HOUR SPENT IN SEARCHING FOR OR IDENTIFYING REQUESTED RECORD $ 1.00 ____
☐ DENIED	FOR EACH ONE QUARTER HOUR SPENT IN MONITORING REQUESTER'S EXAMINATION OF MATERIAL $ 1.00 ____
☐ REFERRED	COPIES OF DOCUMENTS: 50¢ FIRST PAGE, 25¢ EACH ADDITIONAL PAGE ____ FOR CERTIFICATION OF TRUE COPY $ 1.00 EACH ____ FOR ATTESTATION UNDER THE SEAL OF THE DEPARTMENT $ 3.00 EACH ____ GSA CHARGE ____ TOTAL CHARGE ____

Payment under this section shall be made in cash, or by United States money order, or by check payable to the Treasurer of the United States. Postage stamps will not be accepted.

This form may be delivered to any of the offices listed in 28 C. F. R. 16.2 or mailed to: Office of the Deputy Attorney General, Department of Justice, Washington, D. C. 20530

APR 14 1972

refer to: RPS #3

REQUEST FOR ACCESS TO OFFICIAL RECORD
UNDER 5 U.S.C. 552(a) and 28 C F R PART 16

See instructions for payment and delivery of this form at bottom of page

NAME OF REQUESTER	ADDRESS (street, city, state and zip code)
Robert F. Smith	927 15th St. NW, Room 409 Washington, D. C. 20005
DATE April 11, 1972	

DO YOU WISH TO RECEIVE COPIES? [X] YES [ ] NO IF YES, SO INDICATE (no more than 10 copies of any document will be furnished).	NUMBER OF COPIES REQUESTED One (1)	OFFICE AND CITY WHERE RECORD IS LOCATED (if known) Dept. of Justice (FPI) Washington, D. C.

DESCRIPTION OF RECORD REQUESTED (Include any information which may be helpful in locating record)

1) The advertisement referred to and described on page 40 of Warren Commission Document No. 206 (report of Special Agent Robert P. Gemberling dated 1/7/64 at Dallas, Texas), which item bears the handwritten notation "October, 1959". Neither the original nor any copy of this advertisement appears to be on file at the National Archives.

2) Any reports of FBI Laboratory examinations or other reports of investigation of the advertisement described above, or of its reverse side, whether or not furnished to the Warren Commission.

LITIGATION: DOES THIS REQUEST RELATE TO A MATTER IN PENDING OR PROSPECTIVE LITIGATION? [ ] YES [X] NO

FILL IN IF PENDING → LITIGATION	COURT (check one) [ ] FEDERAL [ ] STATE	DISTRICT	NAME OF CASE	DOCKET NUMBER

Robert F. Smith
SIGNATURE

FOR USE BY DEPARTMENT OF JUSTICE ONLY

THIS REQUEST IS:

[ ] GRANTED

[ ] DENIED

[ ] REFERRED

A MINIMUM FEE OF $3.00 MUST ACCOMPANY THIS REQUEST. OTHER CHARGES ARE AS FOLLOWS. (do not write in this box)

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RECEIVED
APR 12 1972
FBI — MILS

Robert P. Smith
927 15th St. NW, #409
Washington, D. C.
April 12, 1972

Mr. Robert P. Gemberling
Special Agent, FBI
200 Mercantile-Continental Bldg.
Dallas, Texas 72501

Dear Bob:

Enclosed is a copy of our Newsletter, as I had promised in our telephone conversation last week. We publish only irregularly, and the next issue will probably not be out until May.

I looked into Dept. of Justice Order No. 381-67 after I got back to Washington and learned that it had been incorporated into Title 28 of the CFR, specifically Part 16, "Production or Disclosure of Material or Information", which covers departmental procedures for compliance with the Freedom of Information Act. Some of the matters that I had wanted to discuss with you can be handled via that route, and so I have filled out and filed the necessary forms with the Department of Justice here in Washington. I enclose copies for your general information so that you will be better prepared in the event that my requests, or some part of them, are bucked on down to you.

As you probably know, there are a number of people (many within our CTIA group) who take the view that the government has concealed the truth about the JFK assassination. I personally do not subscribe to that view, principally because I am aware of how much investigation was actually done as exemplified in the many and voluminous reports which you yourself submitted.

On the other hand, I do feel that there are a lot of unanswered questions about the case and that Oswald may have had some accomplice(s) not yet discovered. I even have some doubt that Oswald himself fired the rifle, and I find that the evidence for this particular link in the chain (i. e., that Oswald was the guy who pulled the trigger) to be especially vulnerable, though I do not doubt that he played <u>some</u> role in the events.

Your reports are the ones that deal with the real substance of the case, and so it was inevitable that most of the matters about which I have questions would fall within the subject areas of one or another of your reports.

I don't expect you to comment on the substance of these inquiries outside the formal channels prescribed by the Department of Justice, but I wanted you to know the general drift of my thinking on the case, as well as the fact that I have a great deal of respect and admiration for the work you have done on it.

Sincerely yours,

Robert P. Smith

APR 14 1972

Robert P. Smith
[illegible] St. NW, Room 409
Washington, D. C. 20005

April 11, 1972

Hon. Richard Kleindienst
Deputy Attorney General
Department of Justice
Washington, D. C. 20530

Dear Mr. Kleindienst:

Pursuant to the requirements of the Freedom of Information Act, 5 U.S.C. 552, and Justice Department regulations in 28 CFR 16, I enclose three (3) completed copies of Form DJ-118, each with accompanying fee of $3.00.

Each of these three forms is a separate and independent request for access to information as described on the individual forms. For bookkeeping purposes, I have numbered these requests sequentially as RPS #1, RPS #2, and RPS #3 as marked in the upper right-hand corner of each form.

I would appreciate prompt attention to these requests as provided for in 28 CFR 16.3, subparagraph (d).

In following these procedures and in addressing my requests to your office, I am following advice given to me by letter dated March 27, 1972 from Mr. J. Edgar Hoover, Director, FBI, a copy of which is enclosed. I would have preferred to have submitted my requests to the appropriate FBI offices directly if it were possible to obtain access to information via that route.

Respectfully yours,

Robert P. Smith

Robert P. Smith

APR 14 1972

62-109060-7054
CHANGED TO
62-112097-11X

NOV 30 1972

dh/SEP

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Bishop

DATE: 4-28-72

FROM : M. A. Jones

SUBJECT: LEE HARVEY OSWALD
INTERNAL SECURITY - RUSSIA - CUBA
REQUEST FOR ACCESS TO FBI RECORDS -
CONGRESSMAN RICHARD H. ICHORD (D-MO.)

Reference memorandum of 4-10-72 from Mr. Branigan to Mr. Miller wherein it was recommended and approved that contact be made with Congressman Richard Ichord (D-Mo.) or appropriate members of his staff to determine his need for three specific documents relating to Bureau sources and operations which the Congressman had requested from Archives along with a number of other documents from the President's Commission on the Assassination of President John F. Kennedy.

This matter was first discussed by Inspector Bowers with Donald Sanders, Chief Counsel of the House Committee on Internal Security of which Congressman Ichord is Chairman, on 4-12-72. Sanders, a former Special Agent with whom we enjoy an excellent relationship, advised he was aware of Congressman Ichord's request for certain Warren Commission documents from the Archives, although he had not handled this matter. He stated the request had been handled by William Hecht, a new Assistant in the Congressman's office. Sanders said he understands the request was made for an individual whose name he believed to be Fensterwald. Sanders was asked if this might be Benard Fensterwald, former Chief Counsel of the Senate Subcommittee on Administrative Practices and Procedures when it was Chaired by Senator Edward Long (D-Mo.) and who is now head of an organization he founded known as the National Committee to Investigate Assassinations. Sanders stated he was not sure but added this would appear to be a reasonable assumption. Sanders was briefly advised of Fensterwald's unsavory background and the fact that his National Committee to Investigate Assassinations includes other unscrupulous individuals such as Jim Garrison, New Orleans District Attorney; William Turner, former FBI Agent; and Fred J. Cook, notorious left wing writer and severe critic of the FBI. Sanders expressed concern that Congressman Ichord might have inadvertently become involved with such a crowd.

1 - Mr. Mohr
1 - Mr. Rosen
1 - Mr. Bishop
1 - Mr. Miller
62-109060
NOT RECORDED
184 MAY 10 1972
1 - Mr. Branigan
1 - Mr. M. A. Jones
1 - Mr. Bowers

DWB:kjs (8)

MAY 15 1972

CONTINUED - OVER

M. A. Jones to Bishop Memo
RE: LEE HARVEY OSWALD

On 4-13-72 Bowers called at the office of Congressman Ichord to speak with his Assistant, William Hecht, concerning this matter. Moments after Bowers arrived in the office Benard Fensterwald entered and conversation with the receptionist indicated he had an appointment with Hecht and also hoped to see the Congressman. Fensterwald did not recognize Bowers although they had several contacts while Fensterwald was employed by the Senate Subcommittee.

The matter of the Congressman's request for the Warren Commission documents was discussed with Hecht on 4-13-72 and he implied the Congressman wanted these documents in connection with his position as Chairman of the House Committee on Internal Security. He asked if it might be possible for him to review the classified documents and furnish the Congressman a summary to relieve the Congressman of the time-consuming task of having to personally review lengthy documents. Hecht was advised that under the circumstances it was felt the matter should be discussed personally with Congressman Ichord. Hecht stated that while the Congressman was then in the office he had a full schedule for the afternoon and indicated he would set an appointment for Bowers to discuss this matter with the Congressman in the near future.

Since that time, Hecht has been contacted on several occasions concerning the need for an appointment to resolve this matter with the Congressman, and Hecht has indicated he has been unable to arrange for an appointment. On 4-26-72 Sanders advised he had discussed this matter briefly with Congressman Ichord and told him of Bowers' desire to see him as soon as possible to get the matter resolved. Sanders stated the Congressman remarked that he also has pending a request from CIA for an appointment on the same matter and indicated he would discuss the matter with Hecht to arrange appointments in the near future. No further word has been heard from Hecht regarding an appointment.

Our relations with Congressman Ichord are excellent. It seems apparent he has been brought into this matter by his Assistant, Hecht, and that the documents really are wanted for Fensterwald who has publicly stated that the purpose of his National Committee to Investigate Assassinations is "to embarrass or force the Government to make investigations they have been putting off since November 22, 1963." Undoubtedly, Congressman Ichord is not aware of Fensterwald's unsavory background or of the identities of others affiliated with him in the National Committee to Investigate Assassinations. He will be briefed in confidence concerning these individuals when an appointment is arranged with him regarding this matter.

RECOMMENDATION:

For information.

WGC DWB TCB RHH PLH

UNITED STATES GOVERNMENT

Memorandum

TO : ACTING DIRECTOR, FBI
ATTN: CRIME RECORDS DIVISION

DATE: 5/30/72

FROM : SAC, PORTLAND (89-21)

SUBJECT: HEARINGS BEFORE THE PRESIDENT'S COMMISSION ON THE ASSASSINATION OF PRESIDENT KENNEDY
John F. Kennedy

Portland is in possession of the complete report of captioned hearings. These volumes have not been used for any reference purposes nor is it anticipated this office will have use for them in the future.

Permission is requested to dispose of these volumes by furnishing them to a local organization such as a school or university which could use them for research purposes. It is believed this is the economical way to dispose of this report rather than incur the cost of mailing it back to the Bureau.

6-3-72

CK DIO
6/5/72 EM/DEM

ADDENDUM: 6-6-72 MAJ:ksf

62-109060-7055

Field Office advised ok by routing slip dated 6-6-72.

'72 JUN 2 1972

2 - Bureau
2 - Portland

VER/gle
(4)

51 JUN 12 1972

CRIME RECORDS

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

June 15, 1972

62-109060

John K. Lattimer, M.D., Sc.D.
The Presbyterian Hospital
Columbia-Presbyterian Medical Center
622 West 168th Street
New York, New York 10032

Dear Dr. Lattimer:

Thank you for sending me the pamphlets relating to some of your studies in connection with the assassination of President Kennedy. The material was received on June 12th and I appreciate the thought prompting you to furnish your observations in this matter to the FBI.

Sincerely yours,

L. Patrick Gray III

L. Patrick Gray, III
Acting Director

MAILED 20
JUN 15 1972
FBI

62-109060-10561

eft:ncr (3)

ENCLOSURE ATTACHED

6 JUL 5 1972

ENCLOSURE B I

SEE NOTE NEXT PAGE.

MAIL ROOM TELETYPE UNIT

60 JUL 14 1972

John K. Lattimer, M.D., Sc.D.

NOTE: Dr. Lattimer furnished, without cover letter, pamphlets entitled "Could Oswald Have Shot President Kennedy? Further Ballistic Studies" and "Observations Based on A Review of the Autopsy Photographs, X-Rays, and Related Materials of the Late President John F. Kennedy." Bufiles show prior correspondence and nothing derogatory concerning Dr. Lattimer. In 1971, he was thanked for furnishing reports containing the results of a study he made concerning the Single Bullet Theory as reported by the Warren Commission after the assassination of President Kennedy. His study compared favorably with the results of our Laboratory investigations and supported our findings. (62-109090-620)

7648-08

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Columbia-Presbyterian Medical Center

622 West 168th Street, New York, N.Y. 10032

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FROM

John H. Lattimer

THE PRESBYTERIAN HOSPITAL

in the City of New York

622 WEST 168th STREET · · NEW YORK, N.Y. 10032

Lauren Ellman

7059-08

TO L. Patrick Gray III

Acting Chief

Federal Bureau of Investigation

Dept of Justice

Constitution Ave. & 10th St. N.W.

Washington, D.C. 20530

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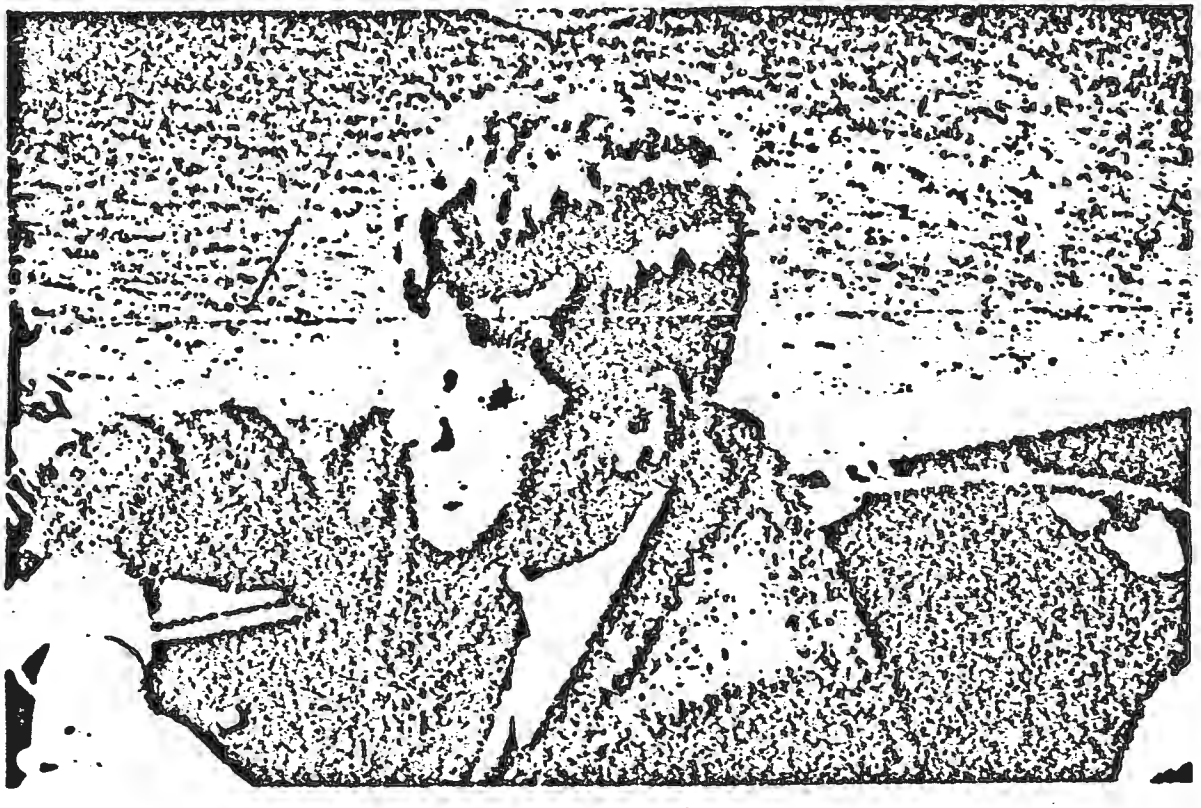
CORRESPONDENCE

11 JUL 72

7 6

ENCLOSURE

Observations Based on A Review of the Autopsy Photographs, X-Rays, and Related Materials of the Late



President John F. Kennedy

John K. Lattimer, M.D., Sc.D.
College of Physicians and Surgeons, Columbia University, New York, N.Y.

Autopsy Findings on John F. Kennedy

□ On 22 November 1963, President John F. Kennedy was fatally shot in Dallas, Texas at 12:31 p.m., towards the end of a pre-election motorcade.

Probably the last coherent words he heard before his life was snuffed out were from a relieved Mrs. Connally, the Texas governor's wife, who had turned to him from her seat ahead of Mrs. Kennedy in the automobile to say, "Mr. President, you can't say now that Dallas doesn't love you."[1] Seconds later he was shot through the neck, and then through the brain.

The President was declared dead at 1:00 p.m., after valiant, vigorous but hopeless attempts at resuscitation, which have been de-

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WHY WAS DR. LATTIMER, A UROLOGIST, GIVEN THE FIRST NON-GOVERNMENT LOOK AT

This question is asked so often that it seems worthy of comment. The following factors may have influenced the decision by Mr. Burke Marshall whom Dr. Lattimer has never met. (Neither does he know the Kennedy family.)

The fact that he is a urologist is irrelevant. The detailed ballistic experiments that he, his sons and his staff have done over the years, to investigate some of the questions raised about the Kennedy assassination, *are* relevant. These experiments have been written up for the scientific literature at intervals since the President's death,[10, 11] in addition to several historical studies[4, 27, 28, 29] relating the analogies between Presidents Lincoln and Kennedy, as valuable teaching materials.

Dr. Lattimer is also the director of a large medical research organization at the Columbia-Presbyterian Medical Center in New York. His department has its own highly specialized x-ray department and its own pathology department, large enough to own and operate three electron microscopes, for example.

During the eight years he has worked on this problem, *Dr. Lattimer has accumulated one of the world's largest archives of original materials pertinent to the Lincoln and Kennedy assassinations.* For instance, he owns Oswald's rifle score book from the Marine Corps (Fig. 10) and a large number of the actual letters and exhibits from both the Lincoln and Kennedy investigations. Thus, he does not have to depend on hearsay about the contents of these items.

In World War II, Dr. Lattimer was a military surgeon in the ETO and had experience with military missile wounds of all types, almost always using x-rays for their localization. He served as a firearms range officer and also did experimental work on the wounding capabilities of various missiles on human tissues.

He has firing facilities available on a family farm, where he and his sons could conduct their experiments[10, 11] in an unhurried manner. Mrs. Lattimer helped with the illustrative work.

While serving as a visiting professor at Southwestern Medical School in Dallas, he sat on a box in the actual window from which Oswald was said to have fired. This made him realize from personal experience how relatively easy a shot it was. The storm of criticism against the Warren Report on this and other points still open to experimentation, surprised him and stimulated him to investigate many of these points by trying them himself. For example, when the ammunition was said to be unreliable, he procured and tested

scribed in great detail elsewhere.[8] Remembering the attempt of Lincoln's assassins to kill his entire official family,[3, 4] including Vice-President Andrew Johnson, the Presidential advisors removed his body in haste from the Parkland Hospital in Dallas at about 2:00 p.m., and placed it aboard the Presidential airplane to be returned to Washington with the Presidential group, including the new President and Mrs. Lyndon Johnson and Mrs. Kennedy. The body was removed despite the vigorous protests of the highly competent Dallas medical examiner, Dr. Earl F. Rose.

Mrs. Kennedy, because of the President's love of, and service in the Navy, chose the Bethesda Navy Medical Center for the autopsy,[8] which was begun at about 8:00 p.m. on the same day, after x-rays and photographs of the body had been taken. It was completed by 11:00 p.m. by Commander James J.

THE RESTRICTED KENNEDY MATERIAL?

500 rounds of the exact lots used by Oswald. (The FBI had tested 100 rounds.) When the rifle was said to be inaccurate or incapable of a high rate of fire, he tested several himself, and published the results.[10, 11] *He has probably fired more Oswald-type cartridges in Oswald-type rifles at Oswald-type mock-ups than any other person, including Oswald.*

He had the capability to acquire and test four rifles and telescopes exactly like Oswald's (which he had examined in detail at the National Archives). He has published the results of his experiments to show that the so-called "pristine" bullet (exhibit 399) that the Warren Commission thought penetrated both President Kennedy and Governor Connally was not "pristine" at all, and that the four fragments in Governor Connally (plus the two now known to be present in President Kennedy) are by no means too many to be accounted for by the two grains of weight lost by this bullet. Dr. Lattimer was able to make 41 such fragments out of the two-grain sample of bullet in question.[10] These experiments were conducted and published with the advice and help of pathologist Myron Tannenbaum and roentgenologists William Seaman and Joshua Becker at Columbia. The author also turns without hesitation to his mentor, N. Y. Medical Examiner Milton Helpern, for expert advice and help. Whether the author's work with adrenal gland disorders was considered as a factor in the selection of a reviewer, is not known.

Incidentally, it should be remembered that three of the country's top forensic pathologists had already reviewed this material (in 1968), along with a top roentgenologist, and they had already published a technical report about it.[9]

Dr. Lattimer still had doubts about some of the contentions of the Warren Commission (as brought out in the text) which he hoped could be settled by viewing these autopsy photographs and x-rays. Otherwise, he says, he would not have gone to the trouble and personal expense of applying, corresponding and traveling to look into the matter further.

The fact that every controversial question or suspicious finding which the author has undertaken to investigate to date, has turned out to reveal no important discrepancy with the contentions in the Warren Report, in no way implies that Dr. Lattimer would not quickly publish any contrary findings, if they were discovered.

CHARLES A. RAGAN, JR., M.D.
Editor-in-Chief

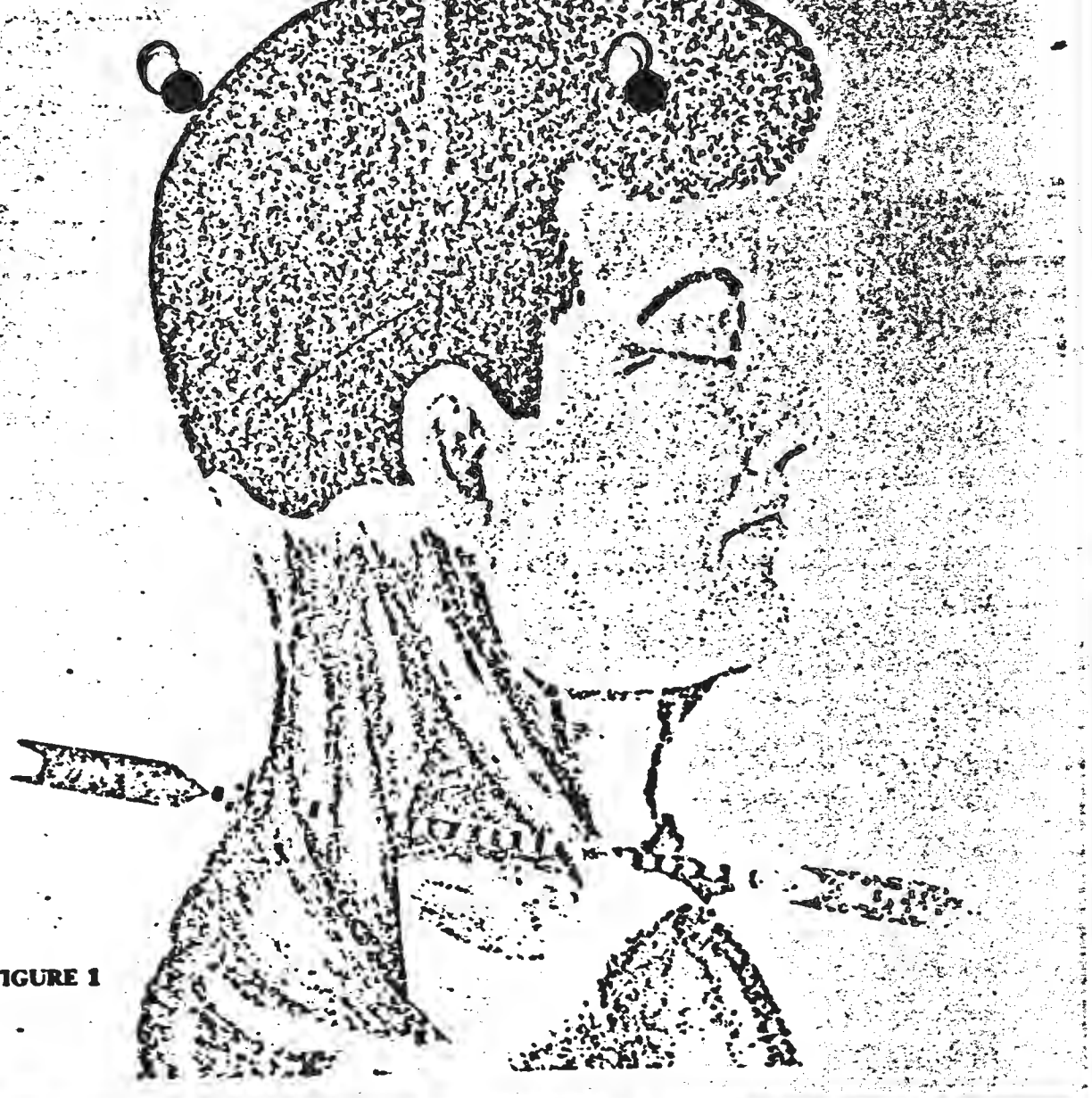


FIGURE 1

FIGURE 1 (Above): THE "OFFICIAL" DIAGRAM OF THE NECK WOUND, FROM THE WARREN COMMISSION REPORT—Done from verbal descriptions only, this diagram shows the neck wound to be less steeply downward than the actual photographs of the body showed it to be. (Courtesy National Archives.)

FIGURE 2 (Right): REVISED DIAGRAM OF THE NECK WOUND—This is still only a diagrammatic representation of the neck wound of President Kennedy. It is based on observations of the photographs and x-rays, but it is not a tracing. The National Archives requested that no tracings be made, so it is not precise. Its purpose is to clarify the relative positions of the wounds in the neck, and the various findings which, taken together, indicated that all were consistent with the entry of a bullet into the upper back, which ranged downward and medially through the base of the neck and exited low on the trachea in the midline, just below the collar button, causing a "nick" on the knot of the necktie. These findings were as follows:

A. BULLET HOLE IN BACK OF SUIT-COAT AND SHIRT—The President's coat and shirt were probably "humped-up" on the back of his neck (see Fig. 4) when the first bullet struck him. The FBI found a "punched-in" round hole in the back of the coat consistent with a 6.5 mm bullet, with the broken cloth fibres bent inward, indicating that this was a wound of entry. The cloth fibres of the shirt were also bent inward in the same manner. Traces of copper from a bullet such as Oswald used, were found on the margins of this hole in the coat by the FBI, again indicating that it was a wound of entrance.

B. BULLET HOLE IN BACK—The bullet hole in the President's upper back, about two inches below the crease of his neck, and about two inches to the right of the midline, was slightly oval.

C. HALO AROUND BULLET HOLE—It had around it a faint but definite "halo," or circumferential

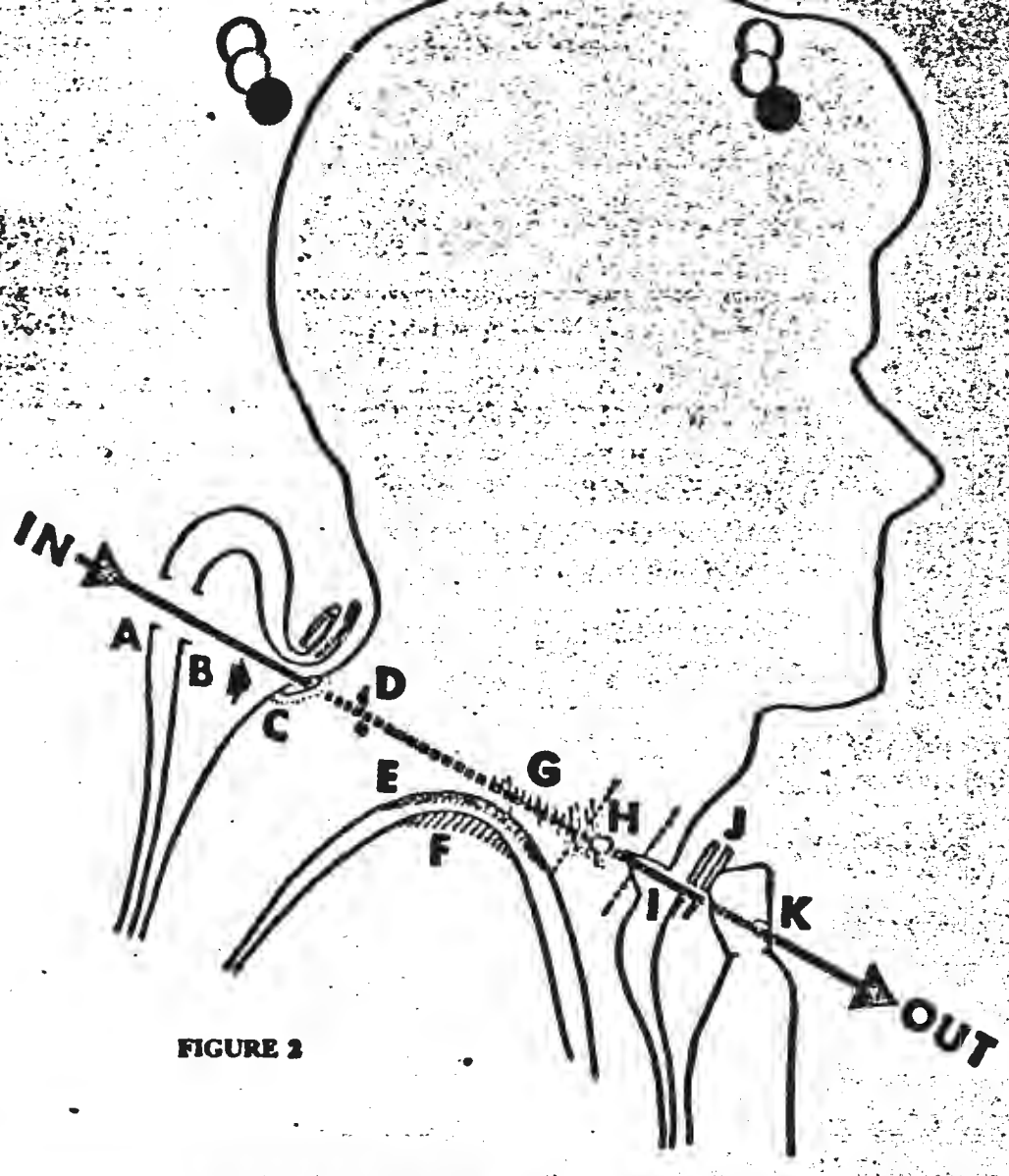


FIGURE 2

bruise, typical of a "wound of entry" from a high-speed bullet.

D. Bullet Fragments in Neck—Two tiny 2 and 4 mm slivers of metal could be seen in the upper (rear) area of the bullet track, on the A-P x-ray film of the right shoulder and neck area. Since no lateral x-ray film was taken of this area, it was possible to determine only that they lay near the high (rear) end of the bullet track, but not the exact distance they lay from the surface. They were near the tip of the transverse process of the seventh cervical vertebra which the bullet may have grazed. They are represented diagrammatically only.

E. & F. Pleura and Lung Bruised—The autopsy report described a 5 cm bruise on the dome of the right pleura and also on the upper tip of the right lung (but no perforation of either), compatible with the passage of a high-speed bullet close above this point.

G. Air in Tissues—There were tiny traces of air, visible in the x-rays, in the tissues along the bullet track, near the hole in the trachea.

H. Hole in Trachea—There was a ragged hole in the right side of the trachea, seen by the surgeons at Parkland.

I. Tracheostomy—There was a gaping, 6.5 mm transverse tracheostomy incision low on the neck, where the Dallas surgeon, Dr. Perry, had enlarged the bullet hole in order to insert a tracheostomy tube.

J. Holes on Front of Shirt—There were 1 cm vertical slits in both sides of the overlapping portion of the shirt, immediately below the collar band, and touching it, just below the collar button.

K. Nick in Necktie—There was a "nick" or "crease" through only the outer layer of fabric of the lower left side of the knot of his necktie, compatible with the passage of a spinning 6.5 mm bullet at high speed. A "blood stain" extended downward from this "nick."

Autopsy Findings on John F. Kennedy

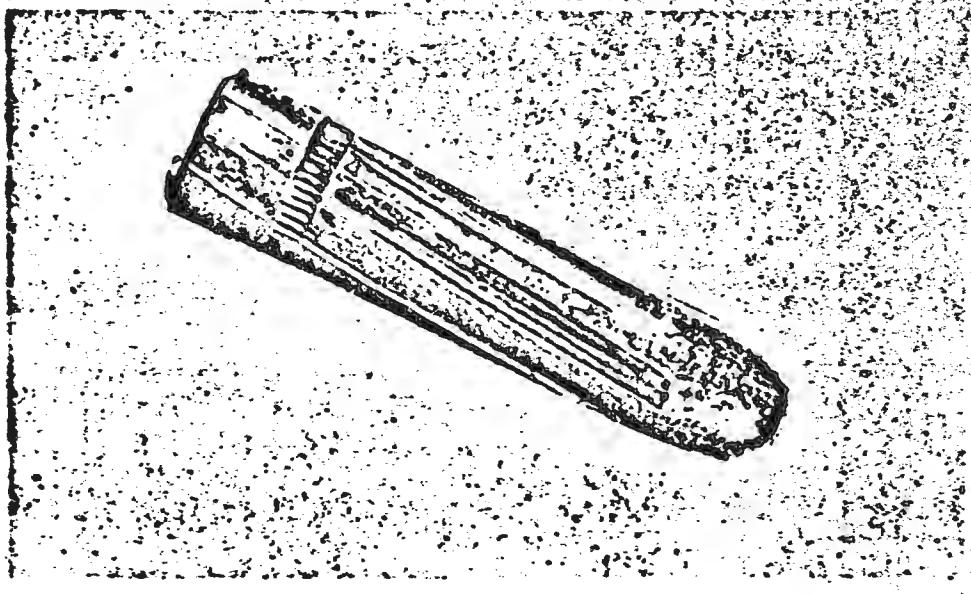


FIGURE 3 (Above): FLATTENED BULLET (WC 399) THAT PIERCED THE PRESIDENT'S NECK, ACCORDING TO THE WARREN COMMISSION'S THESIS—This is the so-called "pristine" bullet, which in reality is far from pristine. (Courtesy National Archives.)





FIGURE 4 (Right): EXPLANATION FOR THE LOW LOCATION OF THE BULLET HOLE IN THE BACK OF THE SUIT-COAT—A photograph of President Kennedy taken a few minutes before he was shot, showing his suit-coat "humped-up" behind his neck. If his coat and shirt were in this configuration when he was hit, probably due to his waving, which he appears to have been doing, this could account for the fact that the bullet holes in his coat and shirt were farther down from his collar than was the corresponding bullet hole in his back (a point about which there has been some confusion and argument). (Photograph courtesy of Dallas Times Herald, Dallas, Texas).

Humes, M.C., U.S. Navy, Commander J. Thornton Boswell, with Lt. Colonel Pierre Finck, U.S. Army, in consultation. Dr. John H. Ebersole was also present and helped take the x-rays. The body had a bullet hole in the upper back at the base of the neck (Fig. 2), a recent tracheostomy wound, and a massive head wound, plus incisions for intravenous and chest tubes, which had been started as part of the resuscitative efforts. The doctors performing the autopsy in Bethesda at first had no way to know that there had been a bullet hole in the front of the neck at the site of the tracheostomy and that a tracheostomy tube had been inserted through this opening at Dallas, after its transverse surgical enlargement by Dr. Malcolm Perry, until they talked to Dr. Perry on the telephone early the following morning.[6] Since the President's body had never been turned over during the desperate attempts to resuscitate him at Dallas, and since the body had been removed so quickly, the doctors at



FIGURE 4

Dallas, in turn, had not known that there was another bullet hole in the upper back. This had led people in Dallas to speculate that the wound in the front of the neck, because it was small, might have been a wound of entrance.

It was some time before all of this information could be sifted out by long distance telephone calls between the two groups of doctors. Meanwhile, their speculations were overheard and quoted, leading to many erroneous rumors, just as in the case of President Lincoln, where it was at first rumored that the bullet came from the opposite direction.[29] During the course of the autopsy, three fragments of skull (Fig. 7) arrived from Dallas, which had been picked up in the street. The largest of these was triangular, approximately 6.5 x 7.5 x 9 cm. Another was about 2.5 cm square and the third about 1.5 cm square. The largest fragment bore about a dozen very tiny metallic fragments at one corner, around a semi-circular "bevelled" defect, and the 9 cm

Autopsy Findings on John F. Kennedy

dimension was irregular and meandering along its margin in a manner suggesting that it was a part of a "suture" line where two portions of the skull had joined. Whether this was from the sagittal suture or the one between the frontal and parietal bones, could not be determined. The aggregate area of these fragments accounted for a major part of the missing area of the skull and these appeared to be the fragments which could be seen going forward and upward away from President Kennedy's head in frame 313 of the Zapruder movie, at the moment the second bullet struck him."[28]

Lt. Col. Pierre Finck, M.C., U.S. Army, who participated in the autopsy, has been quoted in 1968 in the newspapers[7] as saying under interrogation in New Orleans, that the autopsy would not qualify as a "complete" autopsy by the standards of the American Board of Pathology because of certain restrictions which were imposed.[7] Here again was a similarity to President Lincoln's autopsy, wherein only the head was examined.[29] Col. Finck alleged that one of these restrictions was a request that the doctors should not dissect out the entire bullet track through the base of the neck on the right side.

The adrenal glands were not mentioned in the autopsy report[8] and no comment has appeared about them prior to this writing.

Why the Pictures Were Not Shown

The large 8 x 10 color prints, transparencies, and black and white prints of the photographs taken of the President's head and shoulders from every reasonable angle, just before the start of the autopsy, and of his brain and brain case, as the examination progressed, were recognized as being so potentially shocking to the family, and to persons not accustomed to viewing such things, that they were not even shown to the Warren Commission members, since all official exhibits automatically would have become part of the published report. The undeveloped negatives and the developed x-rays, which the doctors had taken for the purpose of reference, in anticipation of using them in preparing an accurate and detailed autopsy report, were ordered turned over to the FBI before development. These photographs were not seen, even by the men who did the autopsy and took the pictures, until three years later. They were kept in privacy by the family until 1966, when they were turned over to the National Archives with a strict contractual-type agreement, stating that they should never be permitted to be on public display and that only after five additional years should specified qualified medical experts be permitted to study them. Even then, additional restrictions and reservations were stipulated.

While the Warren Commission itself did not view these exhibits, because of the above factors, properly authorized government officials were to be permitted to see the photos and x-rays and did so on two occasions, once in 1966, when the physicians who performed the autopsy authenticated the pictures, and once again in 1968 when a panel of three of the country's top forensic pathologists, Dr. Russell S. Fisher, Dr. William H. Carnes and Dr. Alan Moritz, together with a top roentgenologist, Dr. Russell H. Morgan, reviewed them for the then Attorney General Ramsey Clark and issued a technical report about them, couched in proper medical terms and widely reproduced in the newspapers.[9] The author wishes to fully acknowledge this report by forensic experts.

Since the publication of the Warren Commission Report and the disbanding of the Commission, critics have raised many questions, both old and new, about the assassination. The interest in President Kennedy's death has remained keen, even in foreign countries,

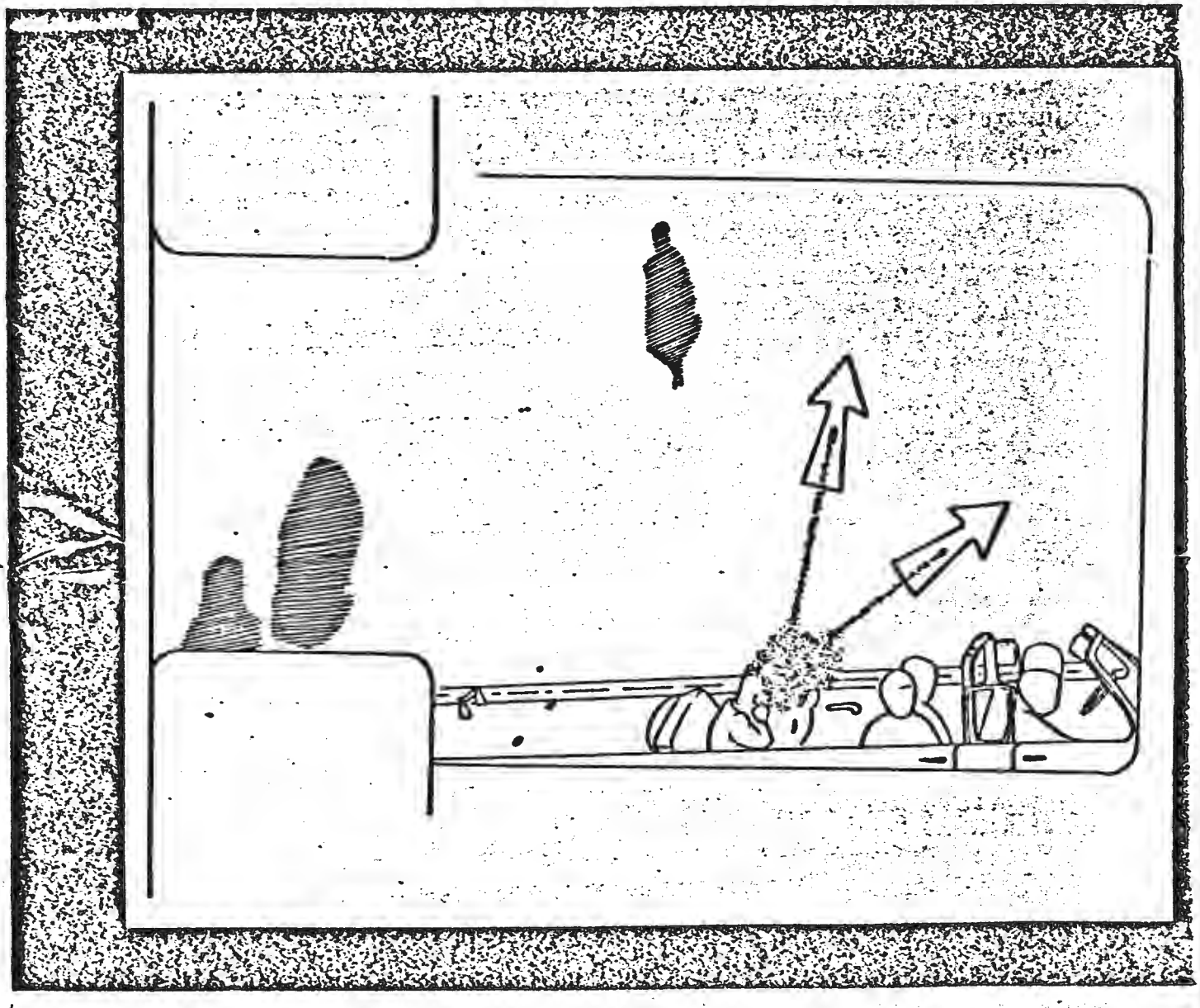


FIGURE 5: SECOND BULLET STRIKES PRESIDENTS HEAD—This drawing from frame 313 of the Zapruder movie shows the exact moment of impact of the second bullet to strike President Kennedy (in the back of the head). Fragments of his skull and a cloud of brain tissue can be seen being driven forward and upward, away from his head, by the impact of the bullet. It seems probable that among these were the three pieces of skull picked up in the street later and shown in Fig. 7.

The pieces can be seen going six or eight feet in the air, so it is not surprising that the motorcycle police escort, just behind the car, rode forward into this cloud of "exploded" brain tissue and were spattered on their fronts by it, as it descended. Governor and Mrs. Connally both commented in their testimony, about being spattered with President Kennedy's brain tissue, in fragments as large as their fingers. (Drawing permitted, courtesy of Life Magazine and the National Archives).

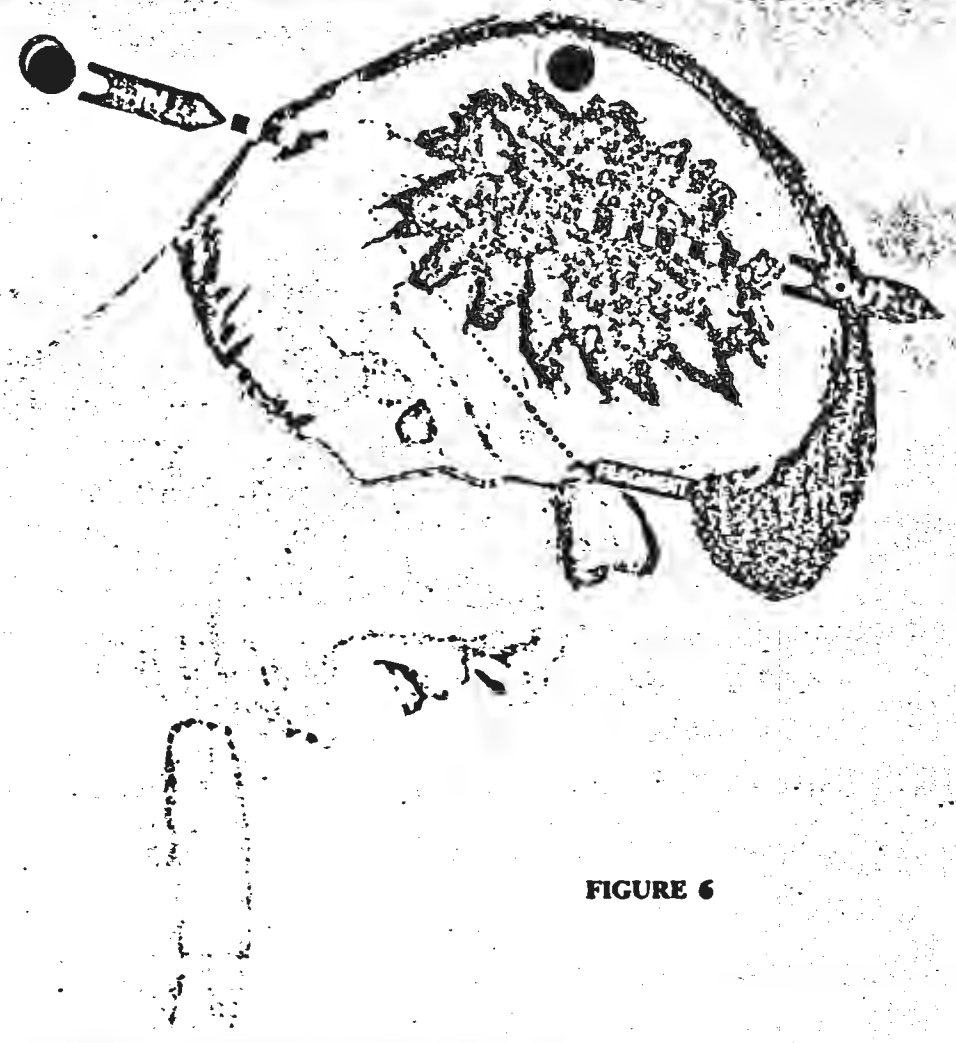


FIGURE 6

FIGURE 6 (Above): "OFFICIAL" DIAGRAM OF THE HEAD WOUND, FROM THE WARREN COMMISSION REPORT—Admittedly done from hearsay, this drawing shows the wound of entrance in the back of the head to be about 3 inches lower than the photographs and x-rays show it to be and the head wound of exit to be much less shattering than the x-rays showed it to be. The exit wound in the head had to be even worse than this diagram if it was from a rifle like Oswald's. (Courtesy National Archives.)

FIGURE 7 (Right): REVISED SCHEMATIC DIAGRAM OF THE HEAD WOUND—Here again, this is only a diagrammatic representation of the head wound of President Kennedy, not a tracing. Its purpose is to clarify the relative sizes and positions of the various components of the wound, the locations and approximate sizes of the bullet fragments in the tissues and the magnitude of the damage, in order to show that the extent of the damage to the head was appropriate to the great power of the weapon the Warren Commission alleged was used (by Oswald). The components are as follows:

A. THE WOUND OF ENTRY—The ovoid "wound of entry" was fairly high up on the back of the skull, well above the hairline, where the skull was starting to curve forward, and about 10 cm above the occipital tuberosity. (Oswald came within a few centimeters of missing the President.) The bone at the lower margin of the hole was depressed slightly and the wound in the inner table was characteristically larger than the wound in the outer table (cone shaped), exactly as one would expect from a "wound of entrance" into the back of the skull.

B. BULLET FRAGMENT SHAVED OFF BY SKULL EDGE—A (6.5 mm diameter) fragment of the bullet had been sheared off by the sharp edge of the thick bone of the skull and was embedded in the margin of the wound of entrance. Similar to the shaved-off fragment in President Lincoln's head (although a bit smaller), this fragment was the largest one left in President Kennedy's head.

C. LARGE WOUND OF EXIT IN TOP OF SKULL—A large, roughly pentangular area of the skull (about 15 cm x 13 cm) had been carried away by the force of exiting fragments of the disrupted bullet.

D, E, F. FRAGMENTS OF SKULL—Three fragments of skull picked up in the street at Dallas accounted for a majority of the area of bone that was missing, and were probably the fragments seen leaving the

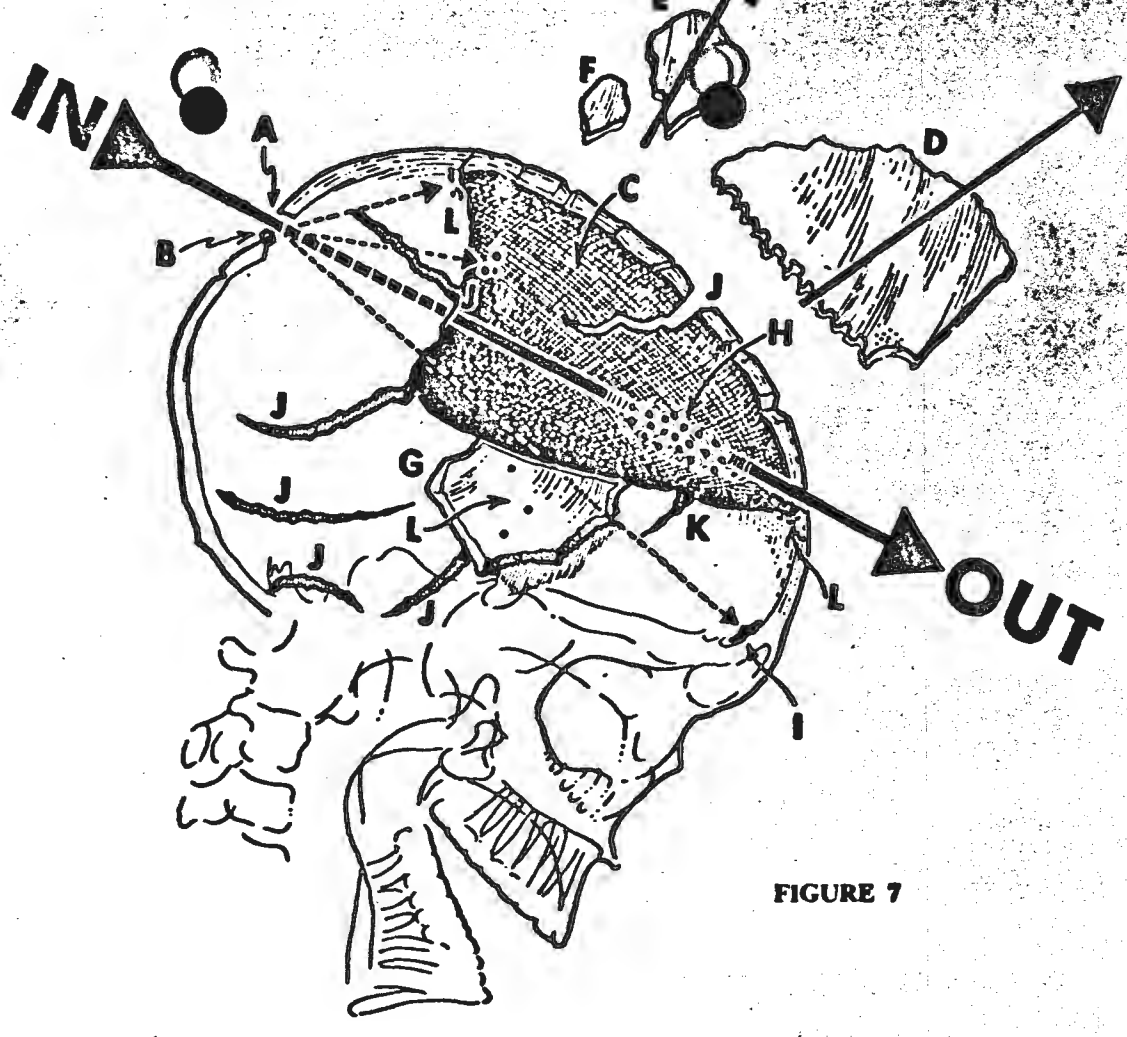


FIGURE 7

head in a forward-upward direction in frame 313 of the Zapruder movie of the shooting (see Fig. 5).

G. Everted Flap of Skull and Scalp—An additional flap of skull and scalp appeared to be everted and hanging down in front of and above the right ear but had not become detached. It had three tiny metallic fragments embedded in it, each about 1-2 mm in size.

H. Cluster of Fragments—An elongated (4 cm) cluster of about 19 tiny metallic fragments in the front of the head was scattered along a line from the anterior edge of the large head wound of exit, back in the direction of the wound of entrance. Four or five similar tiny metallic fragments were embedded in the bone near the anterior edge of the wound of exit and a half-round 1 cm notch in the corner of the largest loose fragment of skull also had a crescent of tiny metallic particles arranged around it.

I. Bullet Fragment in Front of Brain—The second largest metallic fragment (7 mm x 3 mm but crescentic) had come to rest in the front margin of the brain just above the top of the frontal sinus on the right.

Several other tiny fragments were scattered between the wound of entry and the wound of exit. There were *no* metallic fragments in the left side of the brain case.

All the metallic fragments on the right side were above a line between the wound of entry and the top of the frontal sinus, and the majority were in front and top of the brain case.

J: Huge Skull Fracture Lines—Multiple huge fracture lines extended from the margins of the large wound of exit, and smaller ones from the wound of entrance as well. These were compatible with the great force exerted by a heavy (160 grain) high-speed (2200 feet per second) military bullet on a thick part of the skull, and to have *not* found them would have raised doubts that he might have been shot with some other (less powerful) type of weapon. These multiple, devastating fractures in the base of the skull were very much in keeping with the type of weapon used by Oswald.

K. Notch in Front of Skull Wound

L. Tiny Bullet Fragments Scattered Through Head

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where there was a great feeling of empathy for the late President.

No official mechanism for further investigation of these questions now exists, and the restrictions on viewing the autopsy evidence naturally added some impetus to the doubts of people who were impressed by the intensity of some of the criticism and the lack of rebuttal, plus the lack of information about some portions of the autopsy findings.

Doubts About the Warren Commission

Some of the criticisms and doubts about the Warren Commission allegations dealt with questions of fact, such as "Were the rifle and ammunition competent to do what was alleged, or not?" Such questions were still open to experimentation by uninvolved investigators, although no governmental or other funds were available to re-check these or any other points.

The author had been surprised to hear it stated so many times that it was an "impossible shot" for Oswald to have accomplished, whereas it did not seem that difficult to him, once the author had visited Dallas and sat in the actual window used by Oswald. The author and his two young sons thereafter undertook a series of lengthy, unhurried, careful experiments to determine whether the shooting was indeed feasible, as alleged by the Warren Commission. These experiments have been reported in detail elsewhere,[10, 11] and indicated that it should have been quite easy to accomplish.

While none of these experiments turned up any discrepancies on the particular points of fact which were investigated concerning the contentions of the Warren Commission Report, there were still certain questions in the mind of the author, such as, "Why the lack of sufficient downward angulation in the official Warren Commission diagram of the neck wounds?" (if Oswald had been the shooter), "Exactly what was their direction," and was there any evidence at all of another missile in the body, which might have entered either from the back or from any other direction? Furthermore, the magnitude of the head wound, as shown in the diagram, did not match the expectations of the author as to the severity to be anticipated, if Oswald had been the shooter. The differences between the diagrams in the Warren Commission Report (Figs. 1 and 6) and the descriptions of the wounds in the testimony[9] before the Commission and in the 1968 "panel" report[8] seemed to require clarification. The author therefore applied for permission to study the autopsy x-rays and photographs in 1966 and again in 1968, this time under the mistaken assumption that the five-year restriction ran from the date of President Kennedy's death in 1963, rather than from 1966, when they were turned over to the National Archives. He was instructed to re-apply in 1971, which he did, submitting as references, reprints of his ballistic and other experiments, as published in the scientific literature, relevant to President Kennedy's assassination and also several of his publications on Lincoln's death.[4, 10, 11, 27, 28]

He received a letter from Dr. James B. Rhoads, Archivist of the United States, dated 4 January 1972, stating that he had been granted permission to examine the autopsy photographs and x-rays, by Mr. Burke Marshall, Deputy Dean of the Yale Law School, who had been designated by the Kennedy family to decide which applicants would be granted permission to study the evidence. Dr. Rhoads invited him to make an appointment for the examination of these materials, and he conducted this examination throughout the entire day of 7 January 1972 under security conditions, at the National Archives. The only restriction imposed was that he should not trace or photograph any of the items.

Students of the Warren Commission Report have repeatedly raised certain questions, so that some of the queries in the author's mind as he approached this material were:

- Was the evidence actually persuasive, for or against the thesis that the wounds in the back and the front of the neck were indeed connected, as from a "through-and-through" bullet wound?
- Was there indeed evidence visible on the photographs or x-rays, to indicate which wounds might be "wounds of entry" or "exit," and possibly which direction the bullet was traveling, in each case?
- Was the downward angle of the alleged bullet track through the neck (which the Warren Commission contended was from "back-to-front") steep enough to be compatible with Oswald's high perch, or was it more "parallel-with-the-ground," as shown in the official schematic diagram[11] in the Warren Commission Report? (Fig. 1)
- Was it possible that the above neck wounds could have been inflicted from in front, or from either side?
- Were the positions of the bullet holes in the back of the body and in the back of the coat (and shirt) so far apart as to be irreconcilable?
- Was there any evidence, such as wounds, deformations or tracks of metal fragments running in any direction other than "back to front" in President Kennedy's head or body, such as from either side, or from the front, to indicate that a third bullet might have struck him? If so, might it have come from the "grassy knoll" on his right, from the infield of Dealey Plaza on the left, or from the railroad overpass to his front?
- Were the extent and character of the scalp and skull "wounds-of-exit" severe enough to be compatible with those expected to be caused by a high-powered military rifle bullet, as described in the testimony of Dr. Humes? Or were they relatively moderate, as depicted in the official diagrams[12] in the Warren Commission Report? (Fig. 6)
- Were there any findings relevant to the question: "In what direction did President Kennedy's head move after it was struck?"

The Restricted Materials

The restricted materials viewed at this examination consisted of large color prints, plus black and white prints, and color transparencies thereof, as follows:

(a) The head viewed from above (10 prints).
(b) The head viewed from the right and above to include part of the face, neck, shoulder and upper chest (9 prints).
(c) The head and neck viewed from the left side (7 prints).
(d) The head viewed from behind (4 prints).
(e) The cranial cavity with brain removed (4 prints).
(f) The back of the body including neck (4 prints).
(g) The brain viewed from below after its removal (4 transparencies). The brain from above, three views. Black and white negatives of these same views of the brain were also present.

The quality of almost all of these photographs was good, and in the very few instances where one photograph was slightly out of focus, a similar view usually *was* in focus. The 4 x 5 color transparencies were the sharpest of all, and provided the clue as to the proper orientation of the photos of the empty brain case, which were otherwise confusing. There was also a roll of "120" film which had been spoiled by unrolling it in the light and a nota-

Autopsy Findings on John F. Kennedy

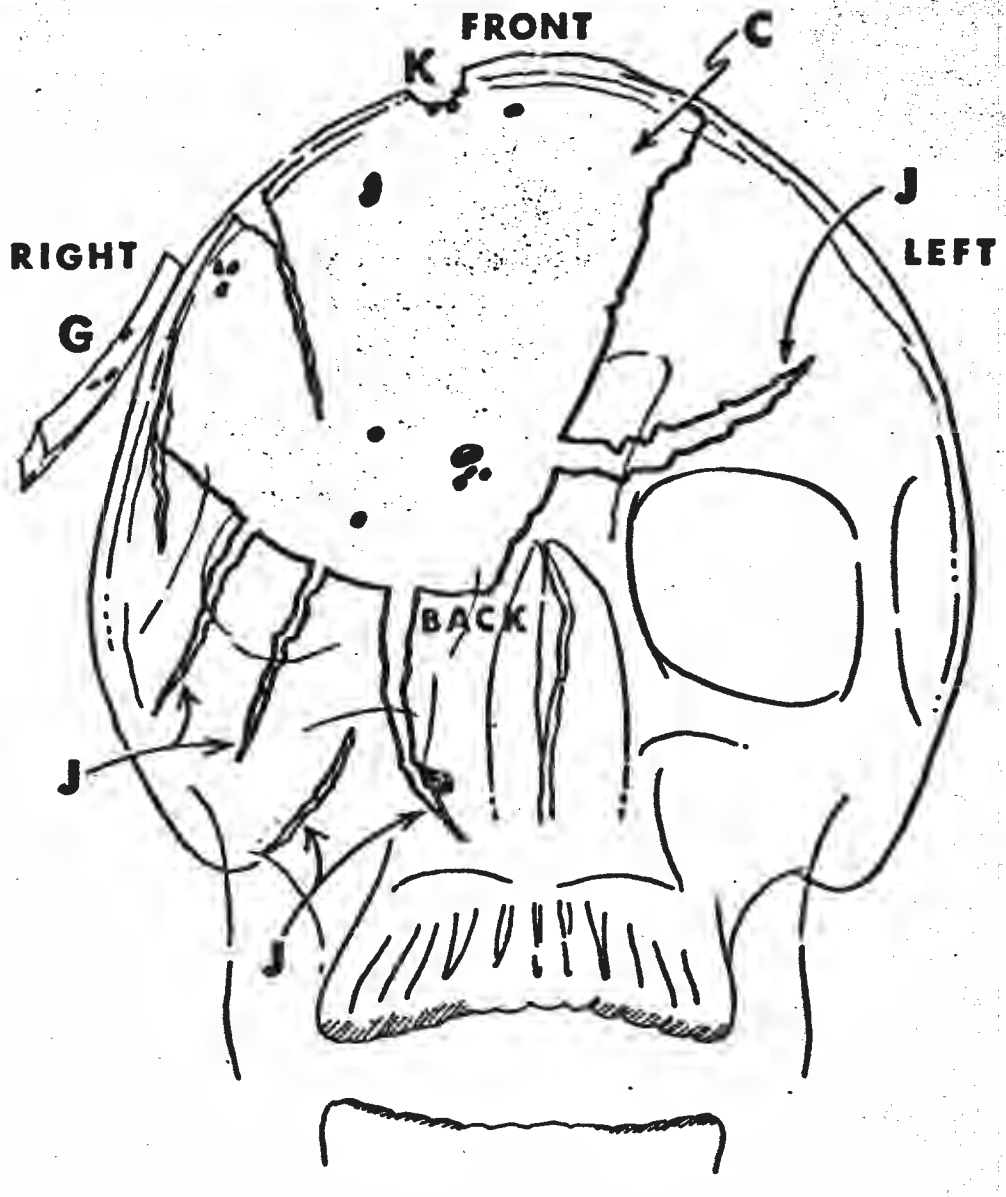


FIGURE 8: LOCATIONS OF THE BULLET FRAGMENTS IN THE PRESIDENT'S HEAD—This again is a diagrammatic sketch, not a tracing, from an AP x-ray of President Kennedy's head, to show that the locations of all the metallic fragments were confined to the right side of his brain case, and that there were no wounds not connected to the principal wound in the right side of the President's head. Letters identifying various components of the wound are correlated with the lettering in Figure 7.

tion that this had been done deliberately by one of the agents present. There was no explanation of why the agent had done this, and one could only speculate that either the agent did not realize that photographs were being taken to assist in preparing an accurate autopsy report, or that he thought the photographer was not authorized to take such photographs.

There was also one 4 x 5 transparency which had been spoiled by overexposure, but with no clue as to what it was supposed to show. There was also one surplus film-pack of color film which appeared to be unexposed and unused.

In addition to the color and black and white prints there were the following x-rays, all of which bore the number 21296 and the name of the U. S. Naval Hospital, Bethesda, Maryland and the date 11-22-63:

Film No. 1	Skull, AP view
Film No.'s 2, 3	Skull, left lateral view
Film No.'s 4, 5, 6	Skull, three fragments of
Film No.'s 7, 11	Thoraco-lumbar region, AP view
Film No. 8	Right hemi-thorax, shoulder and upper arm, AP view
Film No. 9	Chest, AP view
Film No. 10	Left hemi-thorax, shoulder and upper arm, AP view
Film No. 12	Lower femurs and knees, AP view
Film No. 13	Pelvis, AP view
Film No. 14	Upper legs, AP view

X-ray film No. 1 had one 13 mm and one 7 mm scorch mark on it which did not affect its readability.

X-ray film No. 2 had two diverging pencil lines on it which did not affect its readability.

The President's Clothing

The suit-coat, shirt, necktie and backbrace with its associated paddings and bandages, which he was wearing at the time he was shot, were examined in detail, along with close-up macro-photographs of the relevant segments of some of these.

The numbers of all of the materials inspected were checked against the list signed by the men who did the autopsy and also against the list signed by the members of the 1968 Forensic Panel and no omissions were detected, although there were some differences in labeling. The Forensic Panel had stated that their list conformed with the list in the document of transmittal from the Kennedy family in 1966. It was noted, however, that in none of the lists were there any photographs of the bruise on the pleura and apex of the right lung, even though photographs of the bruise on the lung and pleura were described by Commander Humes as having been taken.[14] There was no way to know whether the spoiled roll of 120 film, or the spoiled transparency, had had this photograph on it, or what had happened to it. Since it was the only picture attempted of an interior, superior portion of the body cavity, it may well have been a problem in exposure and thus have been spoiled.

The bullets and bullet fragments, the Zapruder, Nix and Muchmore motion pictures, the rifle and other items had been carefully inspected many times previously, but were again examined in detail.

Relevant Facts Discernible in the Photographs

While exact measurements on a photograph or x-ray film could never be as accurate as measurements on the body itself, a few reason-

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able approximations were possible and are used hereinafter. A few of the photographs showed a ruler laid against the wound areas.

By far the greatest benefit from the photographs and x-rays was the fact that one could see the relationships of the various wounds and fragments to each other and to other landmarks on the body.

On the upper back, just below the junction of neck and back, there was an ovoid penetrating wound estimated to be approximately 6 mm x 8 mm in size, with the longer axis transversely. It was compatible with a 6.5 mm bullet wound, and had a faint halo of discoloration around it, which was suggestive of a wound of entry from a high-speed bullet. The wound is estimated to lie about 5 cm to the right of the midline and approximately the same distance below the transverse double fold in the skin at the junction of the neck and back. This fold in the skin of the neck was very prominent, and may have been related to the thickening of the tissues of this area due to the cortisone derivative he is said to have taken. This bullet hole was recognizable as the wound described in the autopsy report as lying 14 cm medial to the tip of the right acromion process and 14 cm below the tip of the right mastoid process[9] (Fig. 2).

There was a transverse tracheostomy wound about 6.5 cm in length and gaping open at least 1.5 cm at its widest (mid) portion. The tracheostomy wound in the front of the neck was at a lower level than the author had expected to see it. It was almost at the suprasternal notch, and its upper margin was seen to be far below the bottom of the transverse fold of skin of the neck, mentioned above, indicating that the (tracheostomy) wound of exit was substantially below the wound of entry on the back of the neck. The lower lip of the tracheostomy incision had a large crescentic indentation near its center, as if from the pressure of the "cuffed" tracheostomy tube inserted through it during the attempts at resuscitation. Dr. Malcolm Perry had indicated that he had created this wound by a transverse incision directly through a bullet hole in the front of the lower neck[2] at this location.

The 1968 panel of forensic pathologists stated in their report that they could detect, among the irregularities along the upper margin of this gaping tracheostomy incision, the semi-circular upper half of a "wound-of-exit" from a bullet. These photographs were not sharp enough nor close enough for the author to presume to join in this diagnosis of this particular point. However, the relative heights of the two wounds did make it quite obvious in the photographs that any bullet that might have exited through this hole had had a moderately but definitely more downward course through President Kennedy's neck than the course, relatively parallel with the ground, which had been depicted[13] in the official schematic diagram (Fig. 1), made by an artist from verbal descriptions of the wounds rather than actual measurements, photographs, or a viewing of the body.[15]

Still another factor which made it difficult to describe the height of the wound on the back of President Kennedy's neck exactly, was the fact that the tissues at the back of his neck were more prominent than those of most people. This was possibly due partly to his manner of holding his shoulders very high, so that a "roll" of tissue was produced across the back of his neck and also perhaps because he was taking the cortisone derivative which may have caused a slightly greater-than-normal thickening of these tissues, as mentioned above. In any case, the actual photographs showed very clearly that the course of the bullet downward through President Kennedy's neck was a bit

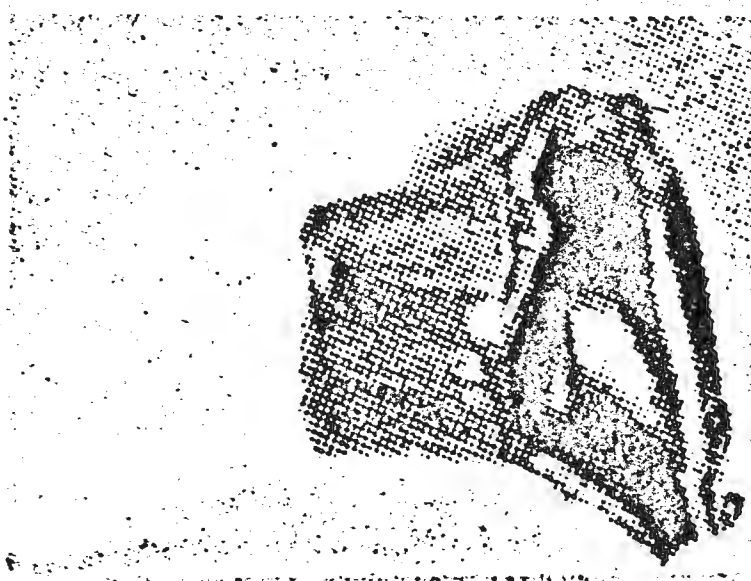


FIGURE 9: A REMNANT OF THE BULLET THAT PROBABLY CAUSED THE PRESIDENT'S HEAD WOUND (WARREN COMMISSION EXHIBIT NO. 569)—It is part of the deformed, empty copper jacket of a disrupted 6.5 mm bullet, found in the front seat area of the Presidential car, along with another fragment, Warren Commission Exhibit No. 567. (Courtesy National Archives.)

steeper than had been indicated by the Warren Commission's schematic drawing and that it was much more in accord with the possibility that the bullet was fired downward at President Kennedy (as it would have been if the shooter had been Oswald) from the sixth floor of the Book Depository Building. We realize that other references in the Warren Report indicate a steeper downward course than do the diagrams, but official "graphic" depictions have always commanded much attention.

The x-rays taken specifically of the area between these two bullet holes (which also included a hole in the trachea) showed tiny traces of air in the tissue planes (subcutaneous emphysema) along the line between the two holes in the skin and trachea and also showed two tiny slivers of metal about 4 mm and 2 mm in length, along this same track, near its upper (rear) end. No gross fractures were visible, although a "graze" of the tip of the transverse process of the seventh cervical vertebra could not be excluded. It should be noted that in the autopsy report the dome (or apex) of the right parietal pleura was found to be ecchymotic and bruised, even though it had not been penetrated, and while the upper tip of the right lung was also slightly bruised, there was no evidence of any tear or "sucking" wound of the chest. The apex of the pleura would have

been immediately below the course of a track between these two holes in the neck. The "strap" muscles of the right side of the neck were reported in the autopsy description to be ecchymotic, even though there had been no ecchymosis or circular bruise recorded near the bullet hole, through which the tracheostomy wound had been made, on the front of the neck (Fig. 2).

Bullet Holes In Suit-Coat and Shirt

After viewing the photographs and x-rays of the bullet holes in President Kennedy's body, his suit-coat and shirt were examined. The coat was a light-weight, gray fabric which looked and felt like a "tropical worsted" in a "sack" weave. The collar, back and upper sleeves were stiff with a substance resembling dried blood. The sleeves had been slit open and the front panels had been cut across at the nipple line,[19] as is common during emergency efforts at resuscitation.

The coat showed a roundish "punched-in" 8 mm hole in the back, compatible with the passage of a 6.5 mm bullet (Figs. 2 and 4) but with one-half of the circumference removed, along with an elongated area of the cloth, for analysis of the cloth fibres (which had shown traces of copper[21] and also that these fibres had been bent inward, indicating that this was a wound of entry, according to the FBI laboratory tests).[21] This hole was 13.3 cm below the upper edge of the collar and 4.5 cm to the right of the midline, in a position suggesting that it was somewhat lower than the wound of entry on the back of the neck. The jacket also had a second tiny penetrating hole just at the lower edge of the collar, through both jacket and lining, directly above the hole through which the bullet obviously entered. There was no such second hole in the back of the shirt at this higher location.

The back of the shirt had a single hole, about 6 mm long and 6 mm wide, about 14.5 cm below the upper edge of the collar and about 2.8 cm to the right of the midline. While the half of this hole that remained was still roundish and appeared indented in some parts of its circumference, the other half of the hole had also been removed, along with a 1 cm strip of adjacent cloth, for analysis (as for bending of the fibres or traces of metal, as described by the FBI laboratory expert, Robert Frazier.)[21]

Having seen these holes in the back of the coat and shirt, at their low locations, the author returned to his file of Kennedy photographs and found several of the President, taken shortly before he was shot, with his right elbow resting up on the edge of the automobile where he could wave more easily. This position caused his suit-coat to "hump-up" on the back of his neck (Fig. 4) so that it was easy to see that the bullet hole in the coat or shirt might well be at a lower point on either garment when the garment was laid out flat, in comparison to its position at the actual moment of impact, when President Kennedy was indeed waving to the crowds, with his right elbow elevated, as seen in the Zapruder movie.

Whether the higher "second" hole at the lower margin of the coat collar was a tangential wound of the cloth, due to a downward folding of this portion of the cloth, could not be determined, although this did at first seem possible. Why the shirt did not have a corresponding second hole, was not clear, however. On further inspection, it seemed probable that the second hole in the jacket was the site from which a "control" sample of cloth had been removed by FBI laboratory man Frazier, when the margins of the bullet hole in the coat were analyzed.[21] In any case, it did not seem nearly so mysterious as has been implied, that the bullet holes in the back of the coat and shirt

were at lower positions than the bullet hole in the President's back, after seeing the actual photographs of the upward buckling of the cloth during the motorcade (Fig. 4).

The shirt was white with a thin triple gray stripe alternating with a thin triple brown stripe. The back, collar and upper arms were soaked with a dark, stiff substance resembling dried blood.[18]

It showed two vertical, slit-like penetrating "wounds" in the bloody area immediately below the collar band, and touching its lowest margin. The reason the fabric tore more in a vertical direction may have been that the bullet started to turn "nose-downward" as it left the skin of the neck at a downward angle, leaving "vertical" slits in the cloth. These had occurred in the area of overlap just below the button joining the two sides of the collar. The shirt was in "new" condition with strong fabric and strong thread holding the button on. It was not clear as to whether the margins of the two holes in the front of the shirt had been cut away to a minor extent for analysis. Even so, it was quite clear at this examination that no portion of either hole in the front of the shirt resembled the round "punched-in" holes usually seen with wounds of entry into clothing, whereas the remaining halves of the holes in the *back* of the coat and shirt still appeared "punched-in," despite their partial excision.

The Necktie

The necktie had been "nicked" on its outer layer only (but not penetrated) in a manner compatible with the tangential passage of a spinning slender bullet (Fig. 2) near the lower edge of the left side of the knot, as seen in the original photographs of the necktie.[19] The necktie was in an "untied" configuration when examined by the author, and in this configuration it could be seen that there was a smear of some dried foreign material (resembling dried blood) extending at least 1 cm below this "nick," which should be analyzed for blood, if it has not already been so analyzed. It is possible that this stain was not readily visible when the necktie was in its original "tied" configuration. While it would not preclude the possibility that blood had merely dripped on the necktie from some other wound, the fact that it extended downward from the lower margin of the hole in the necktie was clear.

After examining the front of the shirt, one could conjecture that the reason the skin around the "wound-of-exit" in the front of the neck had not been more stretched out and ecchymotic, as if from an exiting bullet, was because the skin had been supported and kept from stretching, by the firm collar band, at that point. If the collar band had *not* been supporting it, the loose skin of the neck might have been stretched severely, ahead of the exiting bullet, thus producing more obvious tissue damage and ecchymosis, even though the actual wound of exit might still have appeared small, as the stretched skin snapped back into place. Thus, the confusion over the fact that the anterior neck wound was small enough to resemble a wound of entry to some extent, seemed more understandable. There was, moreover, no note of a "halo" or "bruise" either above or below the tracheostomy wound, which might have been still visible, despite the post-mortem tracheostomy, had such a bruise been present.

Question One

• Thus, to the question *"Was there evidence of a bullet track demonstrable between the wounds of the back and front of the neck?"* The answer was *"Yes"* but based on the circumstantial evidence that the metal fragments, the air in the tissues, the lack of visible frac-

Autopsy Findings on John F. Kennedy

tures, the report of a bruise on the apex of the pleura, and the hole in the trachea, all "lined-up" or "fitted-together" to indicate that a bullet had passed betwen the two holes in the back and front of the skin of the neck, even though any single one of these factors might not have been conclusive by itself. Any other course would have struck some bones solidly, causing gross fractures, which would have been visible in the x-rays. It *is* possible that the bullet grazed the tip of the transverse process of the last cervical vertebra without causing a visible fracture but leaving two tiny metallic fragments behind, and without turning the bullet.

• To the question: *"In which direction was the bullet going?"* The indications were strong and all pointed to a "back-to-front" direction. For example, the halo of discoloration around the wound in the back of the neck strongly indicated that site as a portal of entry.

The bullet hole in the anterior surface of the neck had been cut in two by the tracheostomy incision, so was not intact for study, but Dr. Malcolm Perry, who made that incision, had commented on the lack of distortion or discoloration around this wound, which might be explained by the fact that it was supported and contained by the strong collar band, as discussed above. Had it been a wound of entry, however, it would have almost surely had a "halo" or bruise around it, which Dr. Perry might have been expected to notice.

Previous analysis of the cloth around the bullet holes in the back of the suit-coat and shirt by the FBI had indicated that the bullet had entered from the rear.

More Questions

• To the question: *"Was the angle of the bullet track downward through the neck compatible with the high perch of alleged shooter Oswald?"* The answer was clearly *"Yes,"* once the photographs were seen.

• To the question: *"Was it possible that such a 'through-and-through' bullet wound in the neck could have been inflicted from the front?"* The photographs showed that to do this the shooter would have to have been squatting down very low inside the President's automobile, as if on the floor, in front of Governor Connally's position, in order to shoot upwards at the President's neck. This was clearly not so.

• To the question: *"Were the locations of the bullet holes in the back of the body and in the back of the coat and shirt so far apart as to be irreconcilable?"* The answer was that they were close enough so that the difference was compatible with the "humping-up" of the jacket and shirt on the back of the President's neck, when he waved. Numerous photographs were found which showed his jacket in this configuration in the period just before he was shot (Fig. 4).

The "Wound of Entry" in the Head

The head "wound-of-entry" could be clearly seen in four of the color photographs to consist of an ovoid penetrating wound of the back of the head about 7 x 15 mm in size, and about 2 cm to the right of the midline, high up above the hairline and where the calvarium was starting to curve forward. This accounted for its ovoid shape, since it was slightly tangential to the surface of the skull. The long axis of this ovoid wound ran in the anterior-posterior direction. It conformed in position to the hole in the back of the skull seen in lateral x-ray film No. 2. This position, clearly shown in the photographs, was considerably higher than that depicted in the schematic drawings of the head wounds in the Warren Report,[12, 24] since it lay about 10 cm higher than the occipital tuberosity of the skull, rather than "just above

it." It made it obvious that this bullet came within a few centimeters of missing the President's head altogether (Fig. 7).

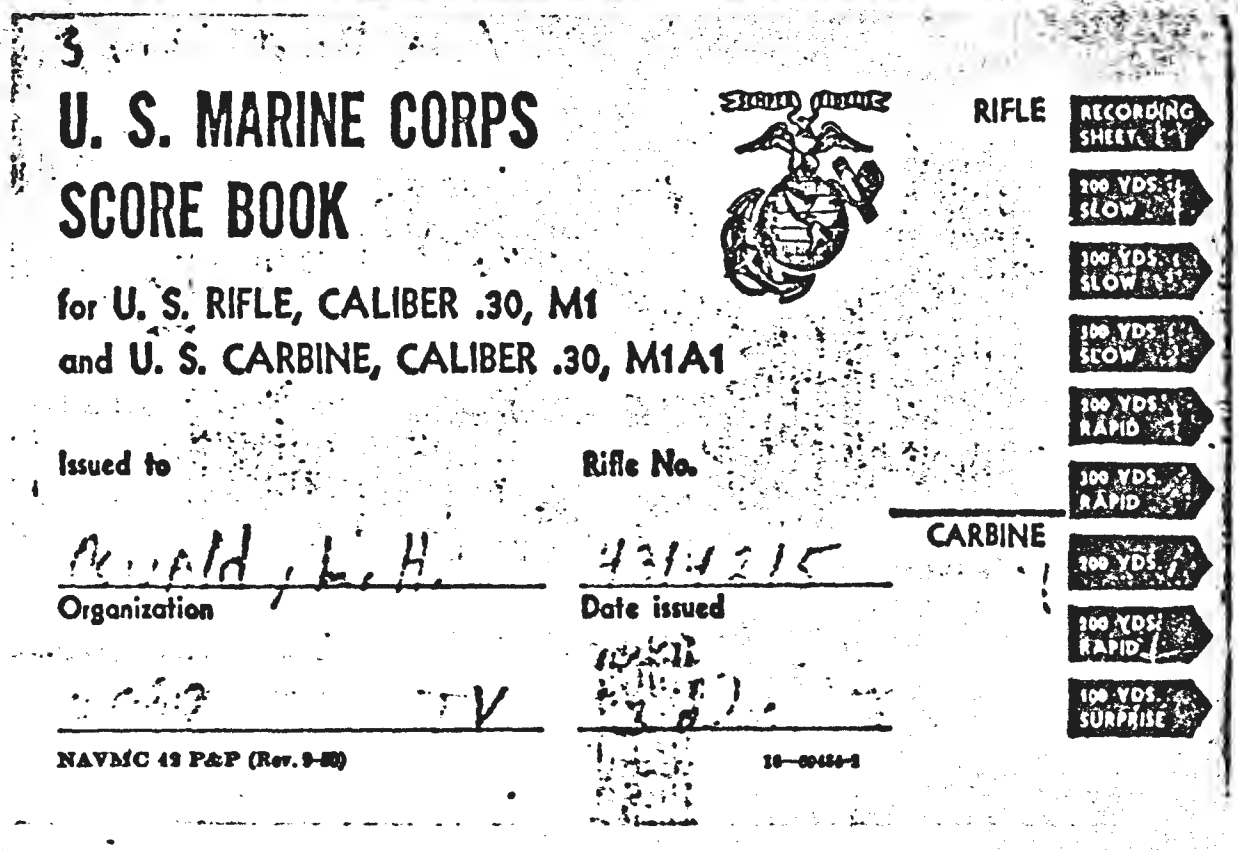
The "Wound of Exit" from the Head

There was a very large, sanguineous, everting wound of the front half of the right side of the top of the head, with a very large segment of the top of the right half of the skull and scalp missing, from about the top margin of the frontal bone back for a distance of approximately 13 cm (5 inches). The defect extended roughly along the sagittal suture in the midline of the head, and must have taken away most of the right parietal bone. The area of this defect would have been mostly (but not entirely) matched by the area of the bone fragments retrieved later from the street, plus an everted skull flap which had not become detached, as nearly as one could tell from the photographs, and which appeared to be everted and hanging down immediately above and in front of the right ear. The anterior scalp appeared to have been greatly stretched by the force of the exiting bullet fragments and skull fragments, and then tore across the top of the front of the head in an irregular manner, with one long tear anterolaterally, about 2 cm above the frontal hairline and extending to the left of the midline. Another tear extended downward and outward to the right temple and then back above the right ear. Still other tears were described in the autopsy report, in more detail.[8] The front edge of the scalp defect appeared to correspond approximately with the front edge of the large bony defect in the top of the skull and probably reflected the explosive outward force of the three large skull fragments, as the disrupted, powerful bullet fragments drove the skull segments forward and upward for a distance of 6 or 8 feet, as could be clearly seen in frame 313 of the "Zapruder" motion picture (Fig. 5).[25] The eversion and then contraction of these flaps of expanded and everted scalp are visible for seven frames (frames 313 through 319) of the same movie. This is a familiar phenomenon with high-speed bullets which strike the head. The configuration and separation of these flaps of scalp could be caused only by skull fragments traveling upward, forward and slightly to the right, and in no other direction. Their magnitude was decidedly in keeping with the very powerful ammunition used in Oswald's rifle.

Confirmation From X-Rays

Another question in the mind of the author was why the official sketch of President Kennedy's head wound, placed in the Warren Commission Report,[12] contained no suggestion of the *severe* skull fracture lines which such a heavy, high-speed military rifle bullet would have been expected to create, not only in the calvarium, but also in the base of the skull. Seeing the actual x-rays revealed that the configuration and magnitude of such cracks were indeed such as one would expect from this high energy bullet. In fairness to Dr. Humes and Dr. Boswell (who did see the x-rays, but wrote up the autopsy under rushed, harassed and restricted conditions, without the help of the photographs they had ordered taken for reference purposes), their written autopsy description *does* mention these cracks.[8] In his later, more detailed testimony before the Commission, Dr. Humes stated that these cracks were so many and so severe that the fragments of the skull came apart in his hands, so that little or no sawing of the calvarium was needed to remove the brain.[26]

• Thus, to the question: *"Were the extent, severity and character of the scalp and skull wounds compatible (severe enough) with those to be expected from a high-speed military rifle*



3

U. S. MARINE CORPS
SCORE BOOK

for U. S. RIFLE, CALIBER .30, M1
and U. S. CARBINE, CALIBER .30, M1A1

RIFLE

RECORDING SHEET

200 YDS. SLOW

300 YDS. SLOW

300 YDS. SLOW

300 YDS. RAPID

300 YDS. RAPID

CARBINE

200 YDS.

200 YDS. RAPID

100 YDS. SURPRISE

Issued to

Rifle No.

Oswald, L. H.

Organization

Date issued

NAVMC 42 P&P (Rev. 9-50)

16—60456-2

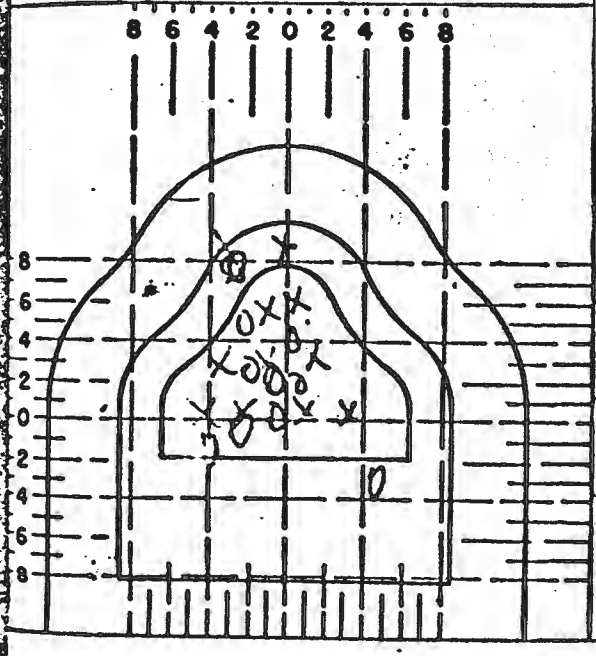
FIGURE 10: OSWALD'S MARINE CORPS SCORE BOOK—Pages show that on a Wednesday, Oswald scored 49 out of a possible 50, at rapid fire, from a sitting position, at 200 yards, with no telescopic sight. On the following Friday he scored 48 out of 50. Conclusion: Lee Harvey Oswald was very definitely marksman enough to have shot President Kennedy.

bullet?" The answer was "Yes" (Fig. 7).

The 1968 panel of forensic pathologists and a roentgenologist also had described the skull fractures in their report in even more detail.[9] Here again, one might conjecture that perhaps the diagrams in the Warren Commission Report, while "official," were purposely made less revealing in an effort to make them less shocking to the public, and especially to the family of the President. It was here again apparent and acknowledged[15] that the artist drew them from hearsay instructions and without seeing the body, the photographs or the x-rays (Figs. 1 and 6).[15]

While the back of the calvarium retained its rounded contour, the x-rays revealed multiple cracks and a slight depression of the lower margin of the wound of entry in the skull. The wound of entry in the bone was "bevelled" into a typical "cone" shape, clearly indicating that

200 YARDS RAPID

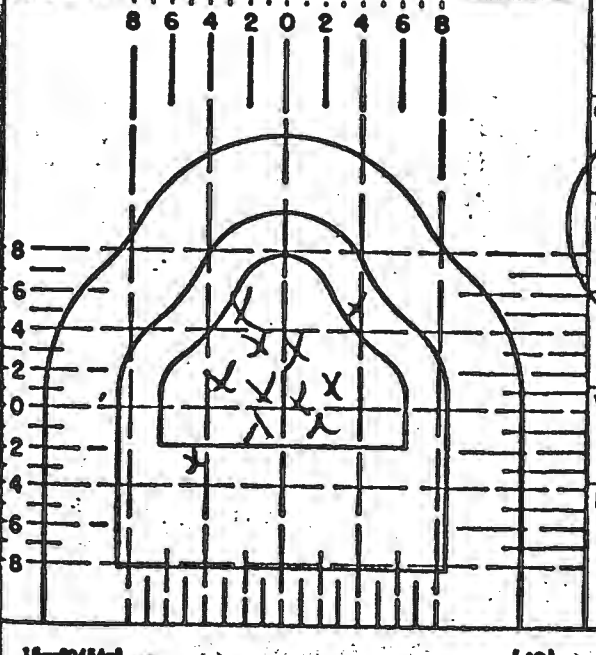


DATE	HIT	NO.	VALUE
ELEV. USED 6-0	5's		
CORRECT ELEV. 6	4's		
ZERO WIND 0	3's		
WIND VEL. 0	2's		
WIND DIRECTION 0	0's		
REMARKS	SCORE +9		

16—69454-1

(47)

200 YARDS RAPID



DATE	HIT	NO.	VALUE
ELEV. USED 6-0	5's		
CORRECT ELEV. 6	4's		
ZERO WIND 0	3's		
WIND VEL. 0	2's		
WIND DIRECTION 0	0's		
REMARKS	SCORE 48		

16—69454-1

(49)

Autopsy Findings on John F. Kennedy

the bullet entered from the rear of the skull. A similar, rounded "nick" in the upper border of the frontal bone, on the right, was also "beveled" in a forward direction suggesting a wound of exit.

Radiating downward and outward from the margins of the large defect in the top portion of the skull there were several enormous cracks, some of which extended to the base of the skull, plus numerous others into the floor of the anterior and middle fossas on the right, plus another which extended outward into the left side of the calvarium from the margin of the major skull defect superiorly. It was undoubtedly these very large fracture lines which gave the "abnormal mobility of the underlying bones" of the frontal region which Dr. Humes mentioned in his handwritten autopsy report on page 33 of Volume XVII of the Hearings Before the Warren Commission. The configuration of these fracture lines again supported the thesis that the President was struck by a very high-powered rifle bullet (rather than some other less powerful type of bullet such as from a pistol) and that the bullet entered the skull from the rear and exited from the top front.

Bullet Fragments in the Head

The x-rays of the head taken before the start of the autopsy, revealed at least 35 small metal fragments, mostly less than 1 mm in diameter, scattered throughout the right side of the top of the head. The largest was a 6.5 mm rounded fragment stuck on the sharp margin of the bone at the wound of entry into the back of the skull. All of the metal fragments were confined to the right side of the brain area (Fig. 8) and all of the fragments were above an imaginary line drawn from the wound of entry through the top of the frontal sinus. This configuration was in keeping with the track of a bullet entering at the rear of the right side of the back of the head, disrupting and exiting from the top front of the head on the right side. It was compatible with no other direction (Fig. 7).

There was one cluster of about 19 tiny metal fragments, each about the size of a grain of sand, which, while confined to the front third of the head, were arranged roughly in a line which, if extended posteriorly, would pass through the wound of entry in the one direction and through the lower (anterior) margin of the large skull defect in the anterior direction, if the line was extended forward. There were about six slightly larger metal fragments measuring 1-3 mm in diameter, in the region of the posterior margin of the large skull defect, and scattered through the tissues; there were three more tiny fragments about 1 mm in diameter which might have been embedded in the flap of skull which was hanging outward near the right ear. The second largest metal fragment of all, measuring about 7 mm in length by 3 mm in width and roughly crescentic in shape, had come to rest at the front margin of the brain, just above the superior margin of the right frontal sinus (Fig. 7). There was an additional cluster of about a dozen very tiny (1-2 mm) fragments of metal embedded in one corner of the largest fragment of skull, which was picked up from the street. There was a rounded "bevelled" defect in this same corner of this largest skull fragment, around which these dozen or so metal fragments were embedded. The margin of the frontal bone, at its right end, had a similar rounded, "bevelled notch" about 1 cm wide. While there was no immediate way to prove an association, these rounded "bevelled" defects or notches would have matched the approximate size of either the partial bullet jacket fragment, Exhibit No. 569,[22] (Fig. 9) found

on the floor of the Presidential automobile along with some smaller particles,[22] or the partial bullet fragment, Exhibit No. 567, found on the front seat of the Presidential car.

The brain, when removed, showed a relatively intact-appearing left hemisphere, except for some surface hematoma over the frontal gyri adjacent to the main wound. From the right side of the brain, however, it appeared that approximately 70 percent of the right cerebral hemisphere was missing, with only a torn and flattened portion of the base of the right hemisphere remaining. This was compatible with the huge cavities which can be demonstrated to form in soft tissues such as the brain, in the high-speed photographs taken of bullets passing through soft tissues, by the Armed Forces Medical Research Teams. The cerebellum appeared to be intact despite rumors to the effect that cerebellar tissue was seen on the stretcher at the Parkland Hospital. There appeared to be lacerations of the base of the brain, as confirmed by the testimony of Dr. Humes.[17]

• Questions and doubts which had been in our mind prior to examining these x-ray films had been as follows: (1) *"Were there any holes, deformations, bullets, or tracks of metal fragments coursing transversely through the head, to indicate that a third bullet might have struck the President, or that a bullet might have hit him from the side, as from the 'grassy knoll' on the right side of the car, or from the 'infield' of Dealey Plaza, or from the railroad overpass to his front?"* After the study of the x-ray films and photographs, the answer was clearly "NO." No fragments, bullet holes or deformities could be seen to suggest any course of a bullet other than from "back to front" in either of the head wounds (Fig. 8). Certainly neither wound could have been made from the so called "grassy knoll" area on the right side of the car. The flap of skull and scalp which had turned outward and downward, above the right ear, certainly could not have been caused by a bullet coming from the President's right side.

X-rays of the Remainder of the Body

• Still another question was: *"Was there any sign of a bullet, a missile wound or missile track in any part of the body other than the head and neck?"* The x-rays were again examined after the photographs, with this in mind. Again, the answer was "NO."

Examination of the x-rays which had been taken of the remainder of the body of President Kennedy (with the exception of the lower arms, lower legs, hands and feet) did not reveal any traces of other bullets or bullet fragments. No suggestive wounds or deformities of the hands or feet had been recorded by the expert civilian medical teams which had inserted intravenous needles for infusions and transfusions into three of the four extremities during the efforts at resuscitation, nor by the surgeons who started to put in the two chest tubes, nor by the men who did the autopsy. The likelihood that an intact bullet or large bullet fragment would travel down one of the limbs into a hand or foot, from the nearest point of entry, such as that in the neck, seemed unlikely, in view of the fact that there were no other signs such as ecchymoses, fractures, deformities, or any other evidences to suggest this. It appeared that this possibility was negligible. There was no fracture, hole or bullet track to suggest that a fragment of either bullet or bone had exited through the floor of the brain case, in the direction of the wound low on the front of the neck.

The adrenal gland areas were well visualized on the x-rays of the mid-portion of the body and no abnormal calcifications could be

Autopsy Findings on John F. Kennedy

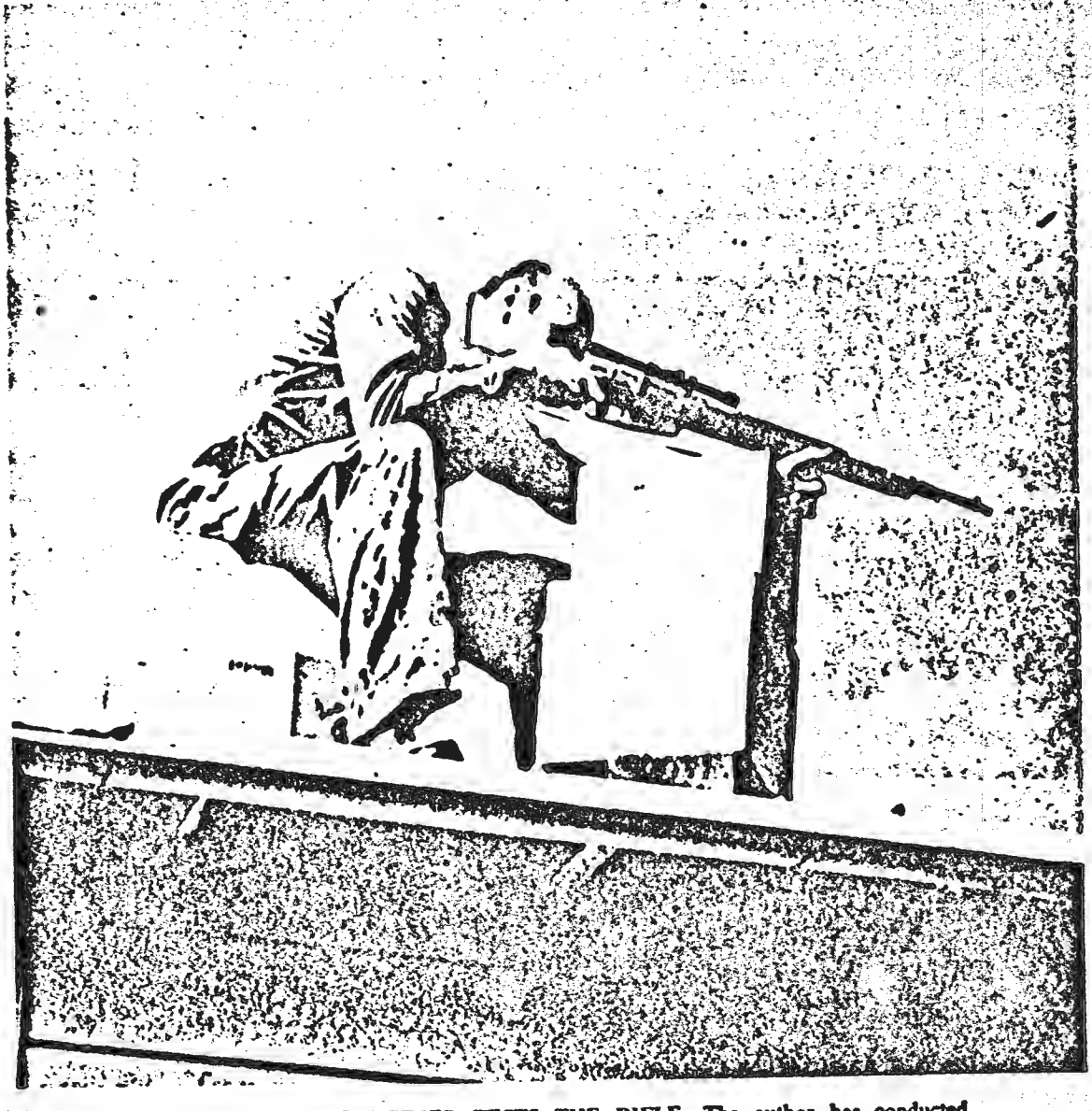


FIGURE 11: DR. LATTIMER TESTS THE RIFLE—The author has conducted extensive tests with Mannlicher-Carcano rifles, simulating Oswald's presumed elevation, body position, range, etc. Dr. Lattimer has probably fired more Oswald-type cartridges, in Oswald-type rifles, at Oswald-type mock-ups than any other person . . . including Oswald. (Photo—I. E. Lattimer)

seen in these areas to suggest tuberculosis or hemorrhage of the adrenals. It is the author's firm belief that the President suffered from bilateral adrenal atrophy.

There were no calcifications in the lungs, kidneys, mesentery, spleen or prostate areas. The costal cartilages were calcified considerably more than usual. There was an irregular, slightly globular soft tissue density some 10 cm in diameter overlying the LUQ, near the midline. The nature of this was not clear, but it could have been gastric or intestinal in its location. The autopsy report described no pathology in these areas, however. It did not resemble an adrenal tumor. There was no abnormal density of the detrusor, as from any vesical neck contracture.

The AP x-ray of the lumbosacral area showed that in the bodies of the last lumbar vertebra and the first sacral segment there was some loss of bony detail, although the posterior spines and transverse processes of all the lumbar vertebrae were still visible. The joint space at L5-S1 was not visible in this projection and may have been fused. There was one tiny, elongated, crescentic 3 mm metallic density over the left side of the body of the first sacral segment, about 4 cm from the midline. This was denser and more sharply defined than the irregular metallic fragments in the head. It seemed likely that this represented a tiny residue from the fixation devices for the type of vitallium Wilson plate which was said to have been used during his operation for spinal fusion and removed at a later operation.[26] There was a second round shadow of lower density, about 4 mm in diameter, which resembled a droplet of contrast medium more than it did a nylon insert, overlying the right side of the body of the first sacral segment, about 1.5 cm from the midline. While it was the correct diameter for a lead shot, it did not appear dense enough for this. Neither of these items should have caused any problems and could have been from any one of the three operations he is said to have had through the same scar, the last for the removal of complex fixation devices from scarred or infected tissues. The author is indebted to orthopedist, Dr. Frank Stinchfield, for consultation on these points. The joint space between L5 and S1 was not visible on the single (AP) x-ray of this area, and since there were no lateral, oblique or other x-ray views of this area, it was impossible to make any further observations. Certainly none of these findings suggested a rifle or pistol bullet wound.

In addition to the x-ray findings, there were other evidences (midline lumbar scar and donor site on the skin of the right thigh) of old operations for the stabilizing of L5 and S1. Also, the President was wearing a special canvas brace with metal stays, to support his lumbosacral area. The brace contained, in a pocket in its back, a thick, stiff, ovoid pad with laces over it, presumably to give the added pressure over the lumbosacral area which many sufferers from this condition find helpful. On this occasion, the President had bound this area of himself even more firmly, with a 6 inch "Ace"-type bandage, and extra padding, in addition to the usual laces and straps. It might be conjectured that this added rigidity kept his body from crumpling downward as did that of Governor Connally, after the first wound, where he might have been out of the view of Oswald's telescopic rifle sight. Instead, the President's torso remained upright while Oswald "zeroed-in" on the back of his sagging head.

Motion of the President's Body as it Was Hit

Critics of the Warren Commission Report have brought up the fact that frames 313 to 320 of the Zapruder movie[25] show that a frac-

Autopsy Findings on John F. Kennedy

tion of a second after the second bullet hit him at frame 313 and destroyed the right side of his brain, the President's body, which had already tilted to his left, with his head hanging downward and forward, moved slightly forward at the moment of impact, but then stiffened and lurched completely over to his left, onto the rear seat of the automobile, from which Mrs. Kennedy then rose and pivoted, to allow him to lie down on the seat. In falling to his left, the President's now practically "decerebrate" body also fell slightly backwards against the rear seat cushion. This abrupt continuation of his fall to the left, with its slight backward component, has been questioned as a possible sign that a bullet might also have hit him from the front or right front (as from the "grassy knoll" to the right of the automobile). Because of this question, a particular search for any evidence of a wound or bullet residue indicating a bullet from the right side, the left side or from the front, was made, but none could be found.

In fact, as stated previously, the flaps of scalp and bone which everted to the right (Figs. 7 & 8), could not have been caused by a bullet coming from the President's right side. The "forward" splash of hair, scalp and brain substance, clearly seen in frame 313 of the Zapruder movie (Fig. 5) at the moment of impact, could only have come from a bullet striking the President from the rear.

In view of the lack of signs of any bullet wounds or fragments in the body from any other direction (Fig. 8) and in view of the mass of evidence that two very powerful rifle bullets struck the President from the rear, some other explanation seemed more likely for the President's major sideways lurch to the left, with its slight backward component. It seemed to the author, after consultation with neurosurgeon Kemp Clark, who had declared the President dead, that the prime speculative possibility would be the opisthotonos-like reaction of the body, often seen immediately after acute, severe cerebral injuries, because of the massive downward discharge of nerve impulses. We know that the base of the brain was severely lacerated at that moment, in addition to the loss of the right cerebral hemisphere.[17] Whether the automobile also accelerated briefly at about that instant, (as the driver, agent Greer, estimated)[31] is not known, although agent Clinton Hill, who was reaching for the rear bumper-step and hand grip at about that time, said it did, causing him to lose his first foothold[32] and run a few more steps before he could climb up on the step on the back of the automobile. This extra running by agent Hill can be clearly seen in the "Muchmore" motion pictures of the shooting.

A deliberate and specific search for any indication of a bullet wound or bullet residue which might indicate that the President was struck from any other angle than from the rear, revealed no such evidence. Frame 313 of the Zapruder movie left no doubt that the President's brain was destroyed at that moment, by a missile which drove his skull fragments distinctly forward. In any case, it was only after this cerebral destruction that he continued his slump to his left.

Suggestions

The author would like to propose:

1) That the x-rays be made easily available to qualified researchers, since they are impersonal in appearance.

2) That, for the benefit of other sufferers from adrenal insufficiency, Dr. Boswell or Dr. Humes be authorized to describe the President's adrenal glands, to demonstrate that even the pressures of the Presidency could be overcome by a man with this condition. The

question of whether any steroids being taken by the President would have interfered with the healing of his tracheal wound, is a matter for conjecture.

3) That we support the principle that more and still-better-funded medical examiners are needed, who could and should be called upon in connection with any and all problem autopsies. (It is of interest that Dr. Boswell and Dr. Humes are in favor of this concept.) The author in no way wishes to presume upon the area of expertise of the forensic pathologists so ably represented in the 1968 review, by Dr. William Carnes, Dr. Russell Fisher and Dr. Alan Moritz nor the area of roentgenologic competence so well represented by Dr. Russell Morgan, in their report, nor of the superb crime laboratories of the FBI.

4) He would like to propose that a continuing office or commission be established by the government, or by a foundation, or jointly, to investigate and still further catalogue and reconcile the huge mass of historical material about this event which is stored in the National Archives, and to look into any new questions which might arise, before any more of the participants pass from the scene. The world interest in this matter is so intense as to merit this move, as demonstrated by the wave of sentiment and nostalgia which accompanies any new bulletin about the late President. This interest extends even behind the "iron-curtain," as our flood of newspaper clippings demonstrates.

It should be noted that the author's findings did not disagree with the basic findings of either the pathologists who did the autopsy, nor of the 1968 panel, although the panel went further in its interpretation than did the author and differed as to the labeling of a few items and perspectives, including three of the photographs, and upper margin of the tracheostomy scar. None of these items was of any great consequence, however. The higher location of the wound-of-entry in the back of the head was apparent when the photographs and x-rays were finally made available to the pathologists.

5) Replacement of the purely schematic diagrams in the Warren Report (Figs. 1 and 6) by more accurate and detailed diagrams is suggested, using the same artist.

6) An analysis of the stain on the necktie should be done, to see if it is indeed dried blood, since it is relevant to the question of which direction the bullet traveled.

The fact that the x-rays were not available to the Warren Commission experimenters who did ballistic tests on simulated skulls, might have led to erroneous conclusions, since the point of aim on the simulated skulls was much too low. As it turned out, the results obtained were still not much different from the wounds of the President, except that they were lower and more lateral, as a consequence.[88]

Summary

As an "uninvolved" observer, the author has studied the autopsy photographs and x-rays, the clothing, the bullets and bullet fragments, the rifle and the motion pictures of President Kennedy's assassination, in detail. He has observed to his own satisfaction, that the wounds of President Kennedy were compatible with his being struck by two fully-jacketed, military-type 6.5 mm bullets (Figs. 3 & 9) from the Mannlicher-Carcano carbine of Lee Harvey Oswald. Multiple items were seen which indicated that the first bullet struck the President in the upper back (Fig. 2), near the right side of the base of his neck, while the President's right arm was elevated waving to the crowds, thus causing his coat and shirt to "hump-up" on the back of his neck, as clearly shown in photographs taken at the time (Fig. 4). This

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bullet (Fig. 3) may have grazed the tip of the transverse process of the seventh cervical vertebra. It then ranged downward, medially and forward, through the soft tissues of the right side of his neck and emerged very low on his trachea, near the lower edge of his necktie knot. It made two holes in the overlapping strips of his shirt immediately below the collar button, at the lower margin of the collar band, near the midline, plus a "nick" or "crease" in the side of his necktie knot. The autopsy photographs showed the angle of this bullet path to be slightly but definitely more downward than indicated in the schematic drawings in the Warren Commission Report (Fig. 1). The downward angle (Fig. 2) was enough so that it would have been impossible for anyone to shoot President Kennedy from the front, in this way, without being down inside the car, perhaps in front of Governor Connally, if the bullet followed this track. The circumferential halo visible around the posterior end of this bullet track, the presence of the visible metal fragments and of air in the proposed bullet track, the bruise of the pleura (seen at the autopsy) and the ragged hole in the trachea (seen by the surgeons) all combined to indicate that it was a single bullet track connecting the holes in the back and front of the neck, with the direction of entry from the rear (Fig. 2). The FBI laboratory (Mr. Frazier) had previously also found the cloth fibres on the margin of the bullet hole in the back of the jacket bent inward, with traces of copper on them, indicating a wound of entry on the back of the jacket.[21] A stain, which could well be dried blood, extended downward below the hole in the necktie knot.

These observations, made possible by actually seeing the autopsy photographs and the clothing, (and added to the previous laboratory and autopsy findings) have answered some of the questions that were in the mind of the author and have revealed no incompatibilities with the concept that two high-speed rifle bullets hit the President, both fired downward and from the rear, as from the sixth floor of the Book Depository Building. Also, that the severity of the skin, scalp and skull wounds were indeed compatible with the type of very powerful ammunition used by Oswald (Fig. 7). There were no signs of bullets or bullet wounds or bullet fragment tracks through the President's body running in any other location or direction, such as transversely, or from the front, to indicate bullet "hits" from any of these directions upon the President's head, body or limbs.

The arrangement of the metal fragments (Figs. 7 & 8) and wounds in the scalp and skull were all compatible with a powerful rifle bullet fired from the rear and above, and from no other direction.

These facts, as seen in the photographs and x-rays, satisfied the author that the alleged position of Oswald was certainly tenable. The photographs and x-rays of the head, plus the Zapruder movie film, all indicated that the President was struck in the back of the head by a second high-speed missile, while his head was bowing forward and his torso already tilting to the left, following the (first) bullet wound through his neck. This second bullet (Fig. 9) entered the back of his skull just to the right of the midline, through a thick area of the skull, and obviously disrupted upon entry, with the edge of the skull shaving off a fragment of the bullet, which remained in or near the margin of the "wound-of-entry," just as with President Lincoln. The bullet fragments separated and traversed the top of the brain and drove detached skull fragments forward and upward (clearly seen in Fig. 5, from the Zapruder movie) ahead of them as they exited

in an "explosive" manner (to quote the 1968 panel) through the top part of the right side of the front of his head. These fragments of skull stretched and then tore the scalp along its front and right lateral margins as they traveled upward and forward. Sandlike fragments of this bullet were scattered throughout the right side of the upper and forward parts of the brain case, on the right (and only on the right) side. Another skull fragment appeared to be turned outward to the right but did not detach. The bones of the base of the skull were severely fractured, with huge, long fracture lines extending deeply into the basilar portions of the skull, especially on the right, and causing the abnormal mobility of the bones of the skull commented upon by Drs. Boswell, Finck and Humes, who did the autopsy.[8] Only *after* the fragments of his skull flew forward and upward, did the stricken President continue his fall to his left, with a spastic lurch.

There was an unusual amount of calcification of the costal cartilages. On these x-ray films, there were no abnormal calcifications or masses in the regions of the adrenal glands to suggest tuberculosis, hemorrhage or tumor. It is the author's belief that the President had bilateral adrenal atrophy.

The President was wearing a special lumbosacral back brace, tightly laced over a semi-rigid pad, but in addition, tightly bound to him with a wide, knitted elastic bandage, with much padding. Whether this extraordinary support helped to keep his torso upright, rather than permitting him to crumple down out of sight, as did Governor Connally, after the first bullet, can only be conjectured. In any case, he remained upright after being hit by the first bullet, while Oswald appears to have zeroed in on the back of his head for the second and fatal wound.

Previous research by the author had shown that the technical details of the shooting, such as the ammunition, the rifle, and the capability of the shooter had all proved compatible with the version advanced by the Warren Commission, as demonstrated in actual experimentation by the author, and his two sons, Jon and Gary.[10, 11]

The study of the autopsy photographs and x-rays has helped to answer most of the questions of fact which had remained in the author's mind about the direction and effects of the two bullets which were known to have hit President Kennedy.

This unhurried study of these materials made it possible for the author to take more measurements, and to add a few details and reconciliations, as did the 1968 panel, but it has brought to light no basic discrepancies in the concepts put forth in the Warren Commission Report. □ □

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62-109060-10056

COULD OSWALD HAVE SHOT PRESIDENT KENNEDY? FURTHER BALLISTIC STUDIES

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and

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Reprinted from

BULLETIN OF THE NEW YORK ACADEMY OF MEDICINE

Second Series, vol. 48, no. 3, pp. 513-524, April 1972

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COULD OSWALD HAVE SHOT PRESIDENT KENNEDY? FURTHER BALLISTIC STUDIES*

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CRITICS of the Warren Commission report on the assassination of President John F. Kennedy in Dallas, Texas, in 1963 have claimed that the Italian military Carcano rifle, caliber 6.5 mm. model 91-38, used by Lee Harvey Oswald (sometimes referred to as a carbine because of its short barrel length of 20.5 inches) could not have been fired as rapidly and accurately as was proposed by the Warren Commission investigators.[1]

It appeared to us that this matter was susceptible to additional experimentation and that perhaps Oswald had enjoyed a longer period of

*Presented at a meeting of the Section on Historical Medicine of the New York Academy of Medicine, November 12, 1969.

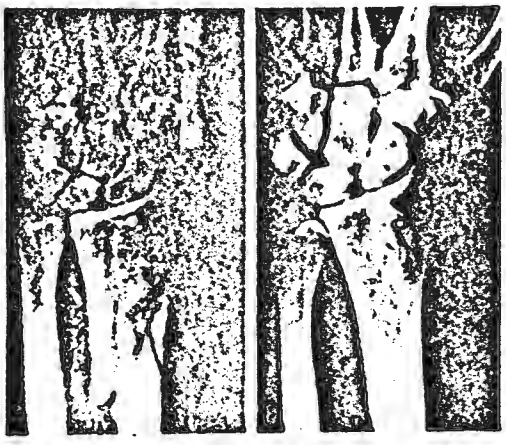


Fig. 1. Bullet fragments (three white dots over wrist, as in Governor Connally's x rays, could easily be reproduced from the two grains of lead extruded from an experimental bullet (see Figure 4). Reproduced by permission from: Lattimer, J. K. and Lattimer, J.: The Kennedy-Connally single bullet theory. *Int. Surg. 50*:524-32, 1968.

familiarization with the rifle than had been afforded those who later tested his rifle briefly. Government experts dared to fire only a limited number of shots for fear of damaging the rifle.[2]

During our earlier investigations into the feasibility of whether a single bullet could have wounded both President Kennedy and Governor John B. Connally, Jr.[3] (Figure 1), as alleged by the Warren Commission report, we were finally able to accumulate several hundred rounds of the exact type of ammunition used by Oswald; it represented three of the four lots (6001, 6002, and 6003) manufactured by the Western Cartridge Company at the time his ammunition was made. The Federal Bureau of Investigation (FBI) had previously tested more than 100 cartridges from lot 6000, and Robert Frazier, fire-arms expert, like us, had encountered no failures to fire.[4] This answered one statement of critics who had claimed that Oswald's ammunition was undependable.[5] We therefore decided to expand our tests, out of curiosity, to see for ourselves whether it was at all possible for ordinary civilians, after lengthy "dry-firing" practice (like Oswald's), to reproduce Oswald's marksmanship by firing three shots in rapid succession at shifting targets, at ranges up to 263 feet, using equipment and positioning as similar as we could arrange, to those used by Oswald.

Since it was not practical for us to fire shots from the sixth floor of the Texas Book Depository Building, as Oswald appears to have done, we arranged boxes of the same type and dimensions as used by Oswald (some on which to sit and some on which to rest his hand) on the roof of a building which would permit a reasonable (although of course not exact) simulation of Oswald's firing position. One of us (JKL) had had an opportunity to sit on the boxes in the actual window used by Oswald in Dallas, and so was familiar with the general configuration and characteristics of his well-arranged firing position, with its low window sill. Photographs from the Warren Commission report, taken immediately after the shooting, made it possible for us to duplicate most of the conditions.[4]

The advantageous nature of the arrangements made by Oswald were not fully appreciated by us until we sat on the box in the actual window he used.

Four rifles of exactly the same type as that used by Oswald were procured, and four 4-power telescopes made by the Ordnance Optical Company, of the exact type used by Oswald, were obtained (with some difficulty). A sling was made of materials similar to those used by him, in exactly the same configuration and dimensions as his. The telescope mount was assembled with the same number of screws (two) placed in the same positions as those used in Oswald's rifle.

Oswald's rifle was examined at the National Archives in Washington, D.C., and our rifle, telescope, and assembly, which most closely resembled his in both condition and ease of operation, was selected from our four carefully chosen sample rifles for use in our firing tests. Several clips (cartridge holders) exactly like the type used by Oswald (labeled SMI), were obtained for our experiments, after much searching.

The telescopic sight was first aligned by looking through the barrel at the target and then adjusting the telescope to point at the bull's-eye (a technique known as "bore-sighting"). To align the sight perfectly, it was necessary to place thin metal wafers (shims) under the front ring of the mount of the telescope, just as had been found necessary with Oswald's rifle, in order to correct the faulty alignment of his telescope.[5,7] Test firings from a fixed (bench) rest were then done for the final adjustments of the telescope.

Various types of targets were positioned at distances at which Oswald's shots might have been fired.[8]

One hundred and eleven rounds of this fairly-high-velocity military ammunition (2,200 feet per second) were fired before it was necessary to retighten the screws holding the telescope mount, even though the depth of the threaded holes was rather shallow. We watched this carefully, in view of the reported loosening of the screws of Oswald's telescope mount, either in the search for fingerprints or during the firing tests by the government authorities. We were thus able to verify the fact that after a large number of rounds (111) had been fired these screws did indeed tend to loosen, but that they did *not* loosen with the firing of only three or four shots, or even 50 or 60 shots.

A long period of "dry-firing" was undertaken, running "dummy" cartridges (from our previous experiments on the feasibility of the Kennedy-Connally single bullet theory)[8] through the magazine and through the action, in order to become dexterous at the procedure of pulling back the bolt, pushing it forward quickly, aiming, pulling the trigger, and then repeating the performance as rapidly as possible, so that three "simulated" shots were dry-fired, as Oswald seems to have done. It was found that with the sling binding the rifle tightly to the experimenter's arm, and by resting both forearms flat against the legs, above the knees (as was possible from Oswald's high perch), three cartridges could be worked through the action in six or seven seconds, still allowing a short period for aiming, before each simulated shot. If the interval between each shot was increased to five seconds (10 seconds total) aiming became quite easy. It was found necessary not only to push the bolt vigorously forward but to pull it vigorously back, each time, with more force than is usually required with bolt-action rifles. Facility with these motions was acquired only after many, many workings of the action over a period of two weeks of both simulated and actual firing. It became obvious to us that the ability to fire this rifle rapidly and dexterously required a prolonged period of practice.

We found that the clip was "ejected" from the magazine of two of our four Carcano rifles, but not from all of them. Two rifles would retain the clip in a half-ejected position, thus accounting for the report which had puzzled us,[9] that the (empty) clip was found "in" Oswald's rifle, even though the last cartridge had been pushed into the rifle's chamber, leaving the clip empty. (We had expected that all Carcano rifles would eject the clip when it was empty, after testing our first rifle.) It was only after trying all four that we found that the clip *could*

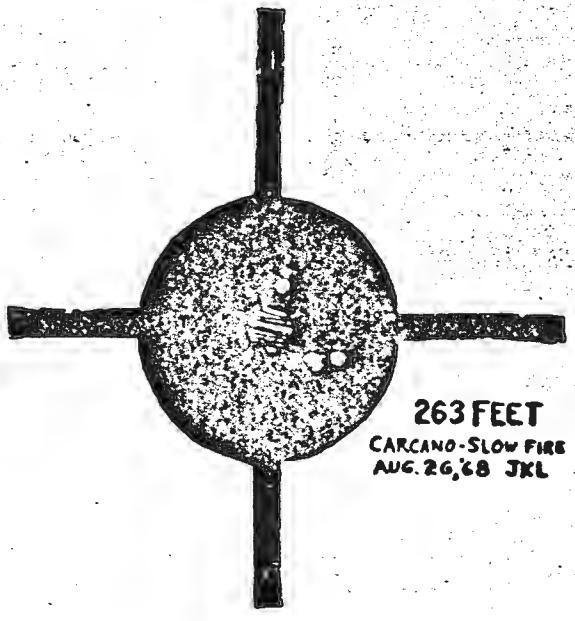


Fig. 2. Slow-fire target showing the accuracy of the rifle at 263 feet, using sling, rest, and telescope, as Oswald did.

be retained by some (as with Oswald's rifle, which we verified by trial of his actual rifle).

It was also found that single rounds could not be inserted into our rifle by hand without a clip unless the bolt was dismounted and the single cartridge base inserted under the ejector. This made us think the ejector was faulty, but we soon found that all Carcano rifles of this type act this way, and that they will still accept cartridges normally if a clip is used. Thus our first impression that the ejector was defective mirrored similar hasty opinions that Oswald's rifle's firing mechanism was in some way defective. This proved to be due to our initial lack of familiarity with this foreign rifle.

The rifle was then tested for accuracy by firing groups of three shots at a bull's-eye mounted 263 feet from the muzzle of the rifle, using a rest for the front hand, as on the front box used by Oswald; the sitting position and the sling were similar to those used by him. Since none of us had fired this rifle before, we approached it with caution, but found that it had relatively little recoil, especially considering the weight and fairly high velocity of the military-type bullet. The sound of each shot

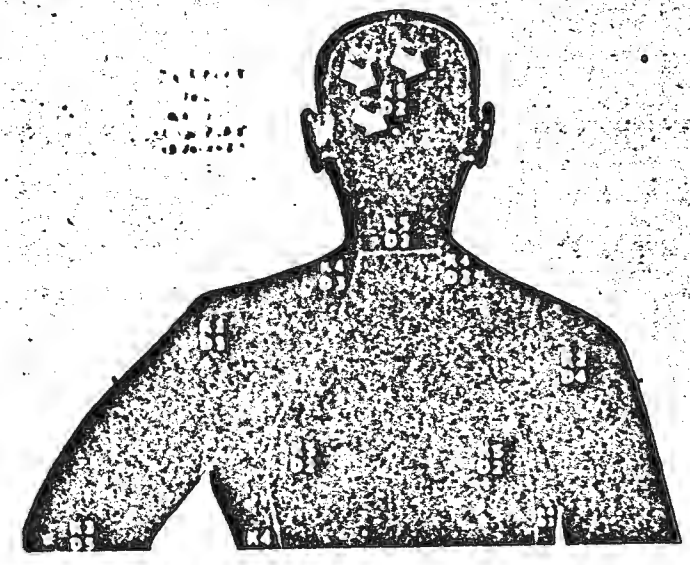


Fig. 2. Three shots fired at five-second intervals could easily and consistently be placed in the central area of a silhouette target of the head at 263 feet, whether it was one target, as here, or whether three targets were placed at the different distances and locations at which Oswald appears to have fired as the presidential car moved downhill and away from the shooter.

was very loud, and for firing a large number of rounds it was found more comfortable to cover the ears with ear protectors similar to earmuffs. The intensity of the recoil and the noise of the shot were approximately similar to those of the popular 30-30 cartridge used extensively by American riflemen. If one stood even a little in front of the rifle muzzle, without ear coverings, however, the reports were so loud as to be nearly intolerable. We were impressed by the fact that if such a rifle had been discharged a few feet to the right rear of photographer Abraham Zapruder (as from the "grassy knoll," as alleged by some), Mr. Zapruder would have been acutely aware of a deafening explosion with each shot.

When slow, deliberate aiming was used three shots could repeatedly be clustered (Figure 2) in an area one to two inches in diameter, just to the right of the bull's-eye, at 263 feet.

When three shots were fired at five second intervals, it was repeatedly possible to place them in a group measuring 2¾ inches in diameter, at 263 feet. When the rate of fire was increased so that the three shots were fired within 6.5 seconds, the spread of the bullets was greater, so that all

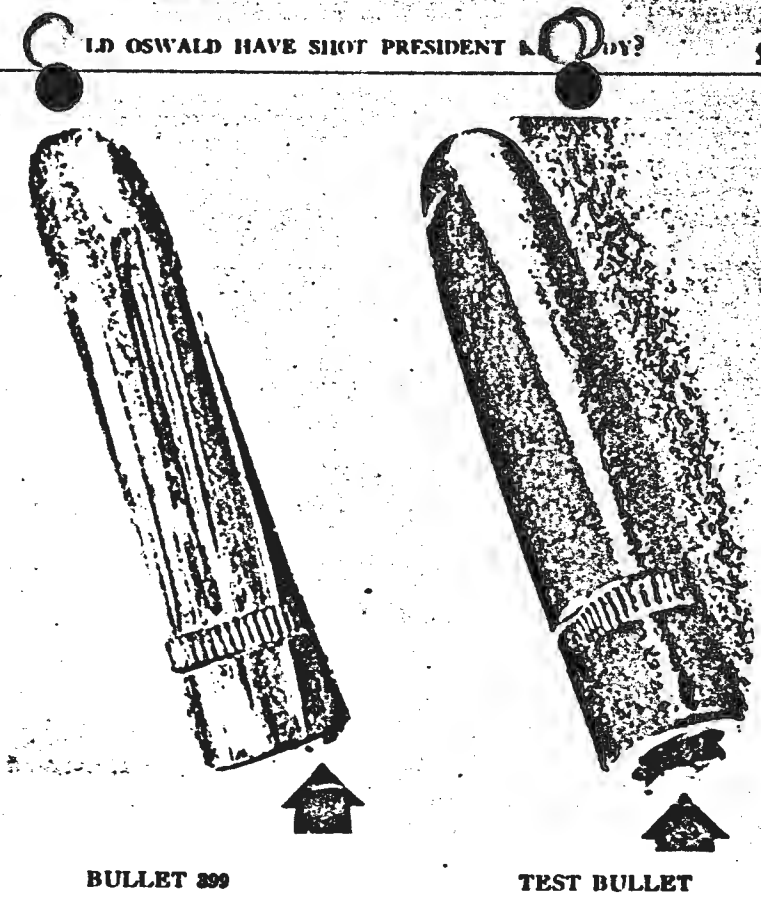


Fig. 4. On the left is the actual bullet believed to have gone through President Kennedy and through the chest and wrist of Governor Connally, lodging in his leg. On the right is a test bullet flattened to exactly the same degree, and showing the resultant extrusion of its soft metal core in the amount of exactly two grains (see Figure 1). Reproduced by permission from: Lattimer, J. K. and Lattimer, J.: The Kennedy-Connally single bullet theory. *Int. Surg. 50*:324-32, 1968.

three shots landed within a circle six inches in diameter, again at 263 feet, which was the longer range of the two shots which hit President Kennedy.

After two weeks of practice, it was found relatively easy to place three bullets in the central area of the head (or the torso) of a military-type silhouette target, if five seconds were used between shots (Figure 3). As the speed of shooting was increased, the spread of the bullets was greater, but all three bullets almost always landed within the head or neck area until the telescope-mounting screws loosened, after 111 rounds had been fired.

Oswald's Marine Corps rifle scorebook (which we own) showed him



Fig. 5. Targets were placed at each of the distances and locations at which Oswald fired his shots, so that the rifle had to be shifted the same distance that Oswald's was, and re-aimed before each shot.

to be capable of placing almost every bullet in such a silhouette target, even at 600 feet, at "rapid fire," without using a telescope.[10] Our greatest difficulty with this Carcano rifle was in learning to pull the bolt back with unusual vigor. If this was not done briskly, time would be wasted with a second pull.

The elongated, 160-grain, fully-jacketed, ball-type military bullets, of high cross-sectional density (Figure 4), proved very stable, and the holes in our targets never showed signs of the bullets turning sideways ("yawing" or "tumbling") before hitting the target.

Three silhouette targets were next arranged at three different points and distances, to simulate the slight lateral and upward shift of President Kennedy's car within Oswald's field of vision, so as to simulate the three points at which Oswald might have fired at President Kennedy (Figure 5). These were at 150, 190, and 263 feet from Oswald's perch. The torso was tilted, as was President Kennedy's, for the final target (hit) at 263 feet.[8, 6] This arrangement required the shooter to change his point of aim between successive shots, and made it possible to study how much of a shift was required for Oswald again to "zero in" on the slowly moving car at the new range. It was found that this shift, while real, was small and did not prove to be any great problem, since the automobile was going downhill and away from Oswald's high perch, thus shifting relatively little in his field of vision.

When three shots were fired within 6.5 seconds at these silhouette targets it was still found possible to hit all three targets in the head or neck area with consistency, although the spread of the bullet holes increased as rapid fire was used, some of the bullets sometimes landing

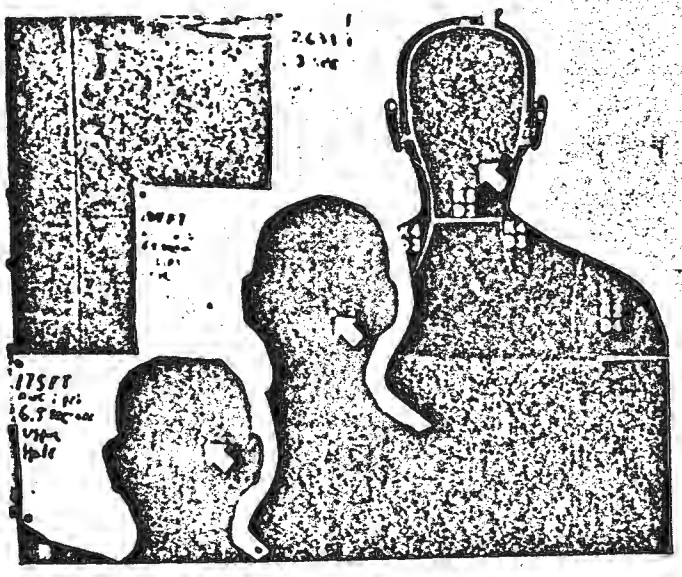


Fig. 6. If three shots were fired very rapidly at the shifting targets (all within the 6.5 seconds) the spread of the bullets was greater, but not excessively so.

in the neck area and others in the margins or occasionally just outside the head area (Figure 6). The bullets were generally clustered within an area six inches in diameter.

In order to determine whether an even less-experienced civilian marksman could attain this same degree of accuracy with the same conditions, another of us, who was at that time a 14-year-old high school student (G.L.), was able to duplicate the same degree of accuracy, although his rate of fire was slower. His 17-year-old brother (J.L.), a more experienced marksman, was easily able to do as well. There was no doubt, however, that the strength of forearm of an adult was an advantage in operating the bolt of this military-type firearm at the brisk rate required for rapid fire.

Discussion

It should be emphasized again that a leisurely period of repeated manipulation and dry-firing (as practiced by Oswald, according to his wife's testimony[11]) was essential to acquiring the proficiency. It was immediately apparent to all three of us that restriction in practice with Oswald's rifle, for fear of damaging it, would have interfered signifi-

cantly with the familiarization and vigorous manipulation needed to achieve optimum proficiency in operating this unfamiliar foreign military weapon.

In view of the delay and additional hard work involved in firing three quick shots at his victim (thus imperiling his chances of escape) we were puzzled as to why Oswald was not content to fire just one careful shot and then flee. We speculated, however, that his failure to hit General Edwin Walker with a single-shot attempt seven months earlier,[12] plus his experience of escaping undetected on that occasion, might have persuaded him to sharpen his skill at rapid fire (as he did all too well) by further practice, before November 22nd, and to accept the risk caused by the delay in firing the three shots instead of just one.

It should also be noted that the actual interval between the two documented "hits" on President Kennedy was about five seconds, as seen in the Zapruder movie. We found *no* difficulty in hitting the shifting head targets twice in *five* seconds. The third shot fired by Oswald may well have gone either before or after the two that hit President Kennedy. Thus the interval of five seconds between shots seemed entirely reasonable, and much easier to achieve than if three shots were required within the shorter interval of 6.5 seconds, even though this could be done.

Summary

A rifle, telescope, and sling, identical to the types used by Oswald, were assembled from several such units, selecting the ones most like those used by him both as to condition and function, after carefully examining, measuring, and manipulating his rifle at the National Archives in Washington.

The telescope was aligned by "bore-sighting," and "shims" (thin wedges of metal) were found to be necessary under the front mounting ring, just as with Oswald's rifle. Only two screws were used to fix our telescope mount to the receiver of the rifle, just as on Oswald's gun, even though there were additional holes available in the telescope mount for still more screws in both instances.

Measurement of the number of shots required to cause loosening of the distal screw of the telescope assembly was made, and found to be 111 rounds in our case.

The accuracy of our Carcano rifle, when fired from exactly the type

of "rest" and with the same type of "sling" used by Oswald, was found to be excellent. The four-power telescope, just like Oswald's, was most helpful. After a two-week period of familiarization with "dry" and actual firing, it was found possible to cluster three bullets consistently in an area 2¾ inches in diameter at 263 feet when they were fired at five-second intervals, which was the time between Oswald's two documented "hits" on President Kennedy. Two additional male civilians aged 14 and 17 years, also unfamiliar with this rifle, were also able to achieve similar consistent accuracy after two weeks of dry-firing, actual firing, and familiarization, but their rates of fire had to be slower.

When the rate of fire was speeded up to three shots in 6.5 seconds at the shifting target, the size of the "group" of bullets then spread out to an area six inches (or less) in diameter. It was still possible to group all three shots in a life-size silhouette target of the head and neck, however. The prolonged period of practice and familiarization was found to be essential for the achievement of any kind of accuracy during rapid firing of this rifle. In general, we were surprised and interested to observe how effectively proficiency with this rifle could be acquired, if plenty of time was allowed. We could then appreciate why this calibre rifle has become a favorite among European riflemen.

In the process of these and other tests about 600 rounds of the same four lots of "Western" ammunition used by Oswald were fired, with no "failures-to-fire." The ammunition, made by the Western Cartridge Company, a Division of the Winchester Company, was found to be highly reliable, even though it was more than 20 years old at the time of our experiments. These bullets had been shown by Dr. John Marshall Nichols of the Department of Pathology, University of Kansas Medical School, in March 1968, to have the capability of penetrating 47 inches of solid pine wood without deforming.[18] The American ammunition, of the type used by Oswald, is not to be confused with some foreign ammunition which is less dependable.

While we remain open-minded as to the general picture of what happened during the Kennedy assassination and await with interest the eventual release of the x rays and the withheld autopsy data concerning President Kennedy, we have at least satisfied ourselves as to the feasibility of certain ballistic details about Oswald's rifle and ammunition.

Our tests have left us with no reason to doubt that the type of rifle used by Oswald was accurate enough, dependable enough, and adaptable

enough to be fired accurately three times in either ten or 6.5 seconds, at a slowly-moving target the size of President Kennedy's head, even by ordinary marksmen who had been given sufficient opportunity to practice, as contended by the Warren Commission.

Our previous forensic and ballistic experiments[3] had satisfied us that the four fragments of metal seen in Governor Connally's x rays were by no means too many to have been accounted for by the 2 grains of weight missing from the bullet which the Warren Commission suggests went through both President Kennedy and Governor Connally (Figures 1 and 4). In fact our test bullets also extruded 2 grains of metal, from which we were easily able to slice even more fragments similar to those found in Governor Connally. The ammunition was found to be highly reliable despite its age.

We were thus able to satisfy ourselves that the contentions of the Warren Commission were certainly possible, at least in regard to these particular points of issue with which our experiments dealt.

In short, it proved to be entirely feasible for Oswald to have shot President Kennedy twice in a few seconds, using the rifle and ammunition attributed to him, as claimed by the Warren Commission.

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July 6, 1972

Mr. L. Patrick Grey
Acting Director
Federal Bureau of Investigation
Washington, D.C.

Dear Mr. Grey:

The publication "Resident & Staff Physicians", May 1972 issue contains an article entitled "Observations Based on a Review of the Autopsy Photographs, X-rays and Related Materials of the Late President John F. Kennedy" by John K. Lattimer, M.D., ScD of Columbia University, New York, New York.

Dr. Lattimer notes in his article that some of these historic films have been deliberately destroyed, thus, leaving a less than complete record of this autopsy.

> "There was also a roll of 120 film which had been spoiled by unrolling it in the light and a notation that this had been done deliberately by one of the agents present."
> Pages 45 and 47

I note that Warren Commission document number 7, pages 281 and 285 consist of a report by two agents of the Federal Bureau of Investigation who attended this autopsy.

Am I to assume from this that either Agent James W. Sibert or Agent Francis X. O'Niell, Jr. are responsible for this unwarrented and reportedly destruction of public records.

EXP PROC

REC 43 62-109060-7057

11 JUL 10 1972

CORRESPONDENCE

I would trust that there is a reasonable explanation for this that would not reflect badly on the agents present at this autopsy or on the bureau itself.

Judging the past history of the F.B.I. I would be greatly surprised to learn that the F.B.I. had abused the public trust.

May I hear from you on this matter at your earliest convenience.

Sincerely,

Fred T. Newcomb

FTN:mkn

July 17, 1972

REC 43 62-109060-7057

1 - Mr. Arendt

Mr. Fred T. Newcomb
4640 Noble Avenue
Sherman Oaks, California 91403

Dear Mr. Newcomb:

Reference is made to your letter dated July 6, 1972.

For your information, all of the undeveloped film taken at the autopsy of President John F. Kennedy at Bethesda Naval Hospital in Bethesda, Maryland, was turned over to the members of the U. S. Secret Service who were on the scene.

I can assure you that the FBI Agents who were present at this autopsy never had in their possession any of this film and, furthermore, had no knowledge of any such film being destroyed.

Sincerely yours,

L. Patrick Gray III

L. Patrick Gray, III
Acting Director

MAILED 20
JUL 17 1972
FBI

HWA:bsm
(3)

SEE NOTE PAGE 2

WSC RJG HAS

MAIL ROOM ☐ TELETYPE UNIT ☐

58 JUL 21 1972

Mr. Fred T. Newcomb

NOTE:

Fred T. Newcomb in his letter advises that an article prepared by John K. Lattimer, M. D. Columbia University, which appeared in a recent publication of "Resident and Staff Physicians" reported that some of the historic films taken at the autopsy of President John F. Kennedy had been deliberately destroyed. He further assumes that FBI Agents James W. Sibert and Francis X. O'Niell, Jr. were responsible for destruction of these records.

This matter has been coordinated with SA O'Niell, now assigned to the Domestic Intelligence Division, and former Resident Agent at the Hyattsville, Maryland, Resident Agency, who had witnessed this autopsy with SA James W. Sibert, now retired.

Bureau indices show an automobile registered to Newcomb was observed on 4/15/67 at the Los Angeles and San Fernando Valley pickup points for the San Francisco Vietnam protesters. Bureau indices show that the managing editor of the "Resident and Staff Physicians" publication on 10/2/69 directed a letter to the FBI which was entirely complimentary. Dr. John K. Lattimer, Columbia University, New York, New York, on 7/28/71 forwarded to the Bureau a reprint which showed the results of a study he made as reported by the Warren Commission after the assassination of President Kennedy. This study supports our laboratory investigations. He was thanked for making this available to the FBI.

July 21, 1972

GENERAL INVESTIGATIVE DIVISION

Attached Dallas teletype reports the Texas School Book Depository, Dallas, Texas, was on fire morning of 7/20/72. The depository is the building from which Lee Harvey Oswald shot President John F. Kennedy on 11/22/63. It was recently sold to Aubrey Mayhew, a Nashville, Tennessee, businessman who is reportedly several months behind in his $6,000 a month payments on the building. Mayhew publicly stated the building has historical significance and plans to make it into a private museum.

Raymond Nasher, Chairman, John F. Kennedy Memorial Commission, Dallas, is attempting to convince Texas State Legislature to take building by eminent domain as a state shrine.

Deputy Fire Chief, Dallas Fire Department, advised that investigation of the fire failed to indicate any incendiary device had been used to set the fire; however, an odor of gasoline was noted in the building and it is suspected gasoline was spread in the building to induce the fire. Complete arson investigation is underway. Our Dallas Office will advise us of pertinent developments.

DFB:erg

62-109060-7058

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

JUL 20 1972

TELETYPE

Mr. Felt
Mr. Bishop
Mr. Bishop
Mr. Callahan
Mr. Cornwell
Mr. Cleveland
Mr. Conrad
Mr. Dalbey
Mr. Jenkins
Mr. Marshall
Mr. Miller, E.S.
Mr. Ponder
Mr. Soyars
Mr. Walters
Tele. Room
Mr. Kinley
Mr. Armstrong
Ms. Herwig
Mrs. Neenan

NR003 DALLAS PLAIN

317 PM URGENT 7-20-72 RGR

TO ACTING DIRECTOR (62-109060)

FROM DALLAS (89-43)(P) 3P

ASSASSINATION OF PRESIDENT JOHN FITZGERALD KENNEDY, DALLAS, TEXAS, NOVEMBER TWENTY-TWO, SIXTY-THREE, MISCELLANEOUS INFORMATION CONCERNING. ~~OO~~ Office of Origin: DALLAS.

DEPUTY CHIEF J. E. TUMA, FIRE INVESTIGATION AND ARSON DIVISION, DALLAS FIRE DEPARTMENT, ADVISED ON JULY TWENTY, INSTANT, THE TEXAS SCHOOL BOOK DEPOSITORY, CORNER OF HOUSTON AND ELM, WAS ON FIRE AT TEN FORTY-EIGHT A.M., JULY TWENTY, INSTANT. ANSWERING UNITS DISCOVERED SEVERAL FLOORS OF THE BUILDING IN FLAMES.

THE TEXAS SCHOOL BOOK DEPOSITORY IS THE BUILDING FROM WHICH LEE HARVEY OSWALD SHOT PRESIDENT JOHN F. KENNEDY ON NOVEMBER TWENTY-TWO, SIXTY-THREE, WHICH HAS RECENTLY BEEN SOLD TO NASHVILLE, TENNESSEE BUSINESSMAN AUBREY MAYHEW, WHO IS REPORTEDLY SEVERAL MONTHS BEHIND IN HIS SIX THOUSAND DOLLARS A MONTH PAYMENTS ON THE BUILDING.

REC-23 62-109060-7058 JUL 24 1972

END PAGE ONE

EX-104

6 JUL 28 1972

62-109060

DL 89-43

MAYHEW HAS STATED PUBLICLY THAT THE BUILDING HAS HISTORICAL SIGNIFICANCE WHICH PEOPLE HAVE FAILED TO REALIZE, AND PLANS TO MAKE IT INTO A PRIVATE MUSEUM.

RAYMOND NASHER, CHAIRMAN, JOHN F. KENNEDY MEMORIAL COMMISSION, DALLAS, ATTEMPTING TO CONVINCE TEXAS STATE LEGISLATURE TO TAKE BUILDING BY EMINENT DOMAIN AS A STATE SHRINE.

CHIEF TUMA ADVISED THAT INVESTIGATION OF THE FIRE AS OF TWELVE THIRTY PM, JULY TWENTY INSTANT, FAILED TO INDICATE THAT ANY INCENDIARY DEVICE HAD BEEN USED TO SET THE FIRE; HOWEVER, AN ODOR OF GASOLINE WAS NOTED ON SEVERAL FLOORS OF THE BUILDING AND IT WAS SUSPECTED THAT GASOLINE HAD BEEN SPREAD IN THE BUILDING TO INDUCE THE FIRE. AS OF TWELVE THIRTY PM, UNITS OF THE FIRE DEPARTMENT WERE STILL IN THE BUILDING AND A COMPLETE ARSON INVESTIGATION IS NOW UNDER WAY.

END PAGE TWO

DL 89-43

THIS IS BEING FURNISHED TO BUREAU FOR INFORMATION ONLY. BUREAU WILL BE KEPT ADVISED OF ANY SIGNIFICANT DEVELOPMENTS.

END

LNG FBI WA CRCXX CLR

cc: Mr. Bishop
Mr. Conrad
Mr. E. S. Miller

62-109060-7059
CHANGED TO
62-112697-1HX

NOV 30 1972

dh/SAP

FD-36 (Rev. 5-22-64)

FBI

Date: 7/28/72

Transmit the following in _____ (Type in plaintext or code)

Via AIRTEL _____ (Priority)

TO: ACTING DIRECTOR, FBI (62-109060)

FROM: SAC, DALLAS (89-43)(P*)

SUBJECT: ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY,
DALLAS, TEXAS
11/22/63
MISCELLANEOUS - INFORMATION CONCERNING

OO: DALLAS

Enclosed is one Xerox copy of a mail coupon of Seaport Traders, Inc., Los Angeles, California, which appears to be a copy of the coupon used by LEE HARVEY OSWALD to order a .38 caliber revolver in March, 1963, which revolver was used in the murder of Police Officer J. D. TIPPIT immediately following the assassination of President KENNEDY. Also enclosed is one Xerox copy of a leaflet attached to the above described mail coupon facsimile which indicates a reward of $25 was being offered to the first person who could identify the publication from which the mail coupon was taken. This reward offer bears the name ROBERT P. SMITH, 927 15th Street, N.W. #409, Washington, D.C. 20005.

These two documents were mailed to SA ROBERT P. GEMBERLING at the Dallas Office with an envelope bearing SMITH's return address.

The Bureau's attention is called to the fact that ROBERT P. SMITH is affiliated with the "Committee To Investigate Assassinations, Washington, D.C.". As reported in Dallas airtel to Bureau 4/4/72, SMITH has

EX-105

(2)- Bureau (Enc.2)
1 - Dallas
RPG:jls
(3)

ENCLOSURE 62-109060-7060

15 JUL 31 1972

Approved: 54 AUG 3 1972 Sent _____ M Per _____

Special Agent in Charge

*U.S. Government Printing Office: 1972 — 455-574

requested an interview with SA GEMBERLING concerning the assassination of President KENNEDY, which interview has been declined.

Dallas files reflect information concerning the above described Seaport Traders, Inc. mail coupon as set forth on pages 229-231 of the report of SA ROBERT P. GEMBERLING dated 12/10/63 at Dallas. It should be noted that Seaport Traders, Inc. is the name under which George Rose and Company, Inc., 1225 S. Grand Avenue, Los Angeles, California, did mail order business in 1963. The office manager of George Rose and Company, H. W. MICHAELIS, on 11/30/63 was unable to identify the publication from which the mail coupon was obtained.

The above is for the information of the Bureau and no acknowledgement is being made to Mr. ROBERT P. SMITH.



SEAFLEET TRADERS, INC. 1221 S. Grand Ave.
[illegible] Angeles 15, L.A. 15, Cal.
Gentlemen: Please ship me the following:

Qty	Product	Cost per Item	Total
	Mexican Bowie	5.95	
	.410 Shotgun	24.95	
	.22 Derringer	16.95	
	Flintlock Muzzle	45.00	
	Remington .22	10.95	
	.22 Long Rifle	12.95	
	air rifle	89.95	
	.22 Lgr. 6 Shooter	99.95	
	Handcuffs	5.75	
	Western .22	12.95	
	.38 S. & W. Spec.	39.95	
	30-06 Springfield	$89.95	
	.38 Scotland Yd. Sp.	16.95	
	Large [illegible] knife:	31.95	
	.32 St. W. 2" Bbl.	29.95	
	.22 Ital. Auto	19.95	
	.22 Snubbie	12.95	

TOTAL PRICE .....

Enclosed is ..... check or ..... (If C.O.D. require by deposit, be sure to specify & have complete ordering info.) I understand all items are to be shipped F.O.B., L.A. express charges collect. Calif. res. add 4% state tax. When ordering pistols, please sign statement:
I hereby state that I am a citizen of the U.S., and that I have never been convicted in any court of the U.S., territories, possessions or District of Columbia of a crime of violence or a crime punishable by imprisonment for a term exceeding 1 year, nor am I a present user of narcotics, or a fugitive from justice, nor am I of unsound mind.

SIGNED ..... AGE 28 DATE 1/20
WITNESS .....
ADDRESS 3A 2415
CITY ..... STATE TEXAS

Front Side (Enlarged)



"Happy anniversary.

Reverse Side (Actual Size)

62 - 107060 - 7010

ENCLOSURE

CASH REWARD

The attached sheet is a photostatic copy of the front and back sides of a mail-order coupon from an unknown publication which I am trying to identify.

This coupon is of considerable historical importance. It is believed that by means of this coupon Lee Harvey Oswald, using the alias "A. J. Hidell", purchased a .38 S&W revolver in the early part of 1963. This revolver was later used in the slaying of a police officer subsequent to the assassination of President Kennedy.

Neither the Warren Commission nor any investigative agency has ever been able to identify the specific publication from which this coupon was clipped. The mail order house involved, Seaport Traders, Inc., was unable to identify it in 1964, and it is no longer in business under that name.

The original of the coupon itself is in the National Archives at Washington, D.C. It is printed on newsprint paper (light-weight, non-glossy), which eliminates most gun, hunting, and sports magazines as possible places where the ad might have been published and suggests a weekly or bi-monthly publication such as Shotgun News or possibly a detective or humor type of magazine on pulp paper. There is a portion of a cartoon on the reverse side (see copy).

In the company address on the front of the coupon, there is a department number, "AM-3" (see copy). If this follows the usual advertising practice, the symbol "AM-3" would signify that the name of the publication had the initials (or abbreviation) "A____ M____", and that the specific issue was the third one of that year, e. g., March in the case of a monthly publication. However, because of possible errors or re-use of previous ads, it cannot be guaranteed that "AM-3" follows this rule. Incidentally, I am unaware of any gun, hunting, or sports publication having the initials "A____ H____".

It is very likely that the year of publication was 1963. Even here, however, there is some uncertainty because Oswald is known to have saved old magazines. Seaport Traders, Inc. is known to have run similar ads as far back as the 1950's. Such ads (not the same as the attached copy, however) may be found in the May '62 issue of Guns, Sept. '62 issue of Shooting Times, Nov. '62 Guns & Ammo, etc.

I have spent many hours attempting to identify this publication without success. Nevertheless, I am confident that it does exist (although it may no longer be published) and can be found.

I herety offer a $25 reward to the first person (as determined by the postmark on the envelope) who sends me a bona fide specimen of the publication containing an ad just like the one from which the attached coupon was taken. If an actual specimen is not available, I will give $10 to the first person who can identify the publication (by name, address of publisher, and date of issue) and prove that the ad actually appeared in that issue.

Robert P. Smith
927 15th St. NW, #409
Washington, D. C. 20005

July 22, 1972

62-109060 - 7060

EX-[illegible]

JUL 2. 1972

FBI

Date: 7/29/72

Transmit the following in _____ (Type in plaintext or code)

Via AIRTEL _____ (Priority)

TO: ACTING DIRECTOR, FBI (62-109060)

FROM: SAC, DALLAS (89-43)(P*)

SUBJECT: ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY,
DALLAS, TEXAS
11/22/63
MISCELLANEOUS - INFORMATION CONCERNING

OO: DALLAS

Enclosed for the Bureau are two newspaper clippings described as follows:

(1) "The Dallas Morning News" of 7/7/72 captioned "Old Depository in Money Trouble". This article deals with the financial difficulties AUBREY MAYHEW was experiencing in attempting to raise sufficient money to prevent foreclosure on his ownership of the Texas School Book Depository building.

(2) "The Dallas Morning News" of 7/17/72, captioned "Mayhew Won't Give Up". This article reported that AUBREY MAYHEW was reportedly several months behind in his $6,000 a month payments on the Texas School Book Depository building.

The above articles are furnished the Bureau for information.

REC-70 62-109060-7061

ENCLOSURE

2 - Bureau (Enc.2)
1 - Dallas
RPG:jls
(3)

15 JUL 31 1972

51 AUG 4 1972

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

U.S.Government Printing Office: 1972 — 455-574

(Mount Clipping In Space Below)

Old Depository in Money Trouble

By DON MASON

Nashville businessman Aubrey Mayhew has undertaken a nationwide fund-raising tour in the hope of obtaining money to block imminent foreclosure on his ownership of the old Texas School Book Depository.

It was from the old red brick building at Houston and Elm Streets that Lee Harvey Oswald assassinated President John F. Kennedy on Nov. 22, 1963.

D. Harold Byrd; the Dallas businessman from whom Mayhew bought the building at auction in April of 1970 for $650,000, said Republic National Bank officials have informed him they are planning to begin foreclosure on Mayhew's 10-year mortgage.

Byrd said Mayhew is about six months behind in his payments on the mortgage. But Byrd would not comment on what he will do with the building if it does come back into his hands. "I don't want to glorify that building," he said.

Byrd said Mayhew owed $470,000 on the mortgage.

Mayhew plans to convert the building into a museum. He also plans to construct a Kennedy Memorial Center, which would include a library and cultural center, on property adjoining the old depository.

Wm. Anderson, a Mayhew assistant in Dallas, said that he has no knowledge of any foreclosure proceedings and that Mayhew plans at present to go ahead with the museum. Anderson admitted, however, that Mayhew is several months behind on his payments, and this is the purpose of the current fund drive.

Mayhew, known for his elusiveness, could not be reached for comment.

The lobby of the building was opened as a public information center in April. Various fund-raising activities take place from the center, including sale of Kennedy souvenirs and the "buy a piece of history program." The latter allows visitors to "buy" a symbolic square inch of the property on which the building stands, at the rate of $1 a square inch.

A spokesman for Republic National Bank said that no public notice has been posted on the foreclosure. He added that while bank officials have been in contact with Mayhew "off and on," he was "not aware of any funding plans" outlined by Mayhew to update the mortgage payments.

Meanwhile, a third possible owner of the building, the State of Texas, is emerging again as it has several times during the years since the assassination.

Raymond Nasher, Dallas developer who is chairman of the John F. Kennedy Memorial Commission, said he expects State Rep. Joe Golman to introduce at the State Legislature's next session a bill which would grant eminent domain to the commission.

The next session of the Legislature begins in January.

(Indicate page, name of newspaper, city and state.)

"The Dallas Morning News", Dallas, Texas

Page 1A

Date: 7-7-72

Edition:

Author:

Editor: JACK B. KRUGER

Title:

Character:

or

Classification:

Submitting Office: DALLAS

☐ Being Investigated

ENCLOSURE

(Mount Clipping in Space Below)

Schoolbook Depository

Mayhew Won't Give Up

By DON MASON

Nashville businessman Aubrey Mayhew, faced with foreclosure on his ownership of the old Texas Schoolbook Depository, said Sunday that if he loses the building, he will immediately begin attempting to raise funds to buy it back.

And he plans to begin immediately his efforts to retain ownership of the building. He said in an interview with The News he is considering going before the Dallas City Council Monday to plead his case publicly.

Mayhew, reportedly several months behind in his $6,000-a-month payments on the building, said that "money is not the issue" as far as he is concerned.

He said the building from which Lee Harvey Oswald shot President John F. Kennedy has historical significance which people have failed to realize.

One reason for the apparent lack of interest in preserving the building, Mayhew said, is that the people of Dallas have "false guilt feelings" about the assassination.

"If the people of Dallas feel that they killed Kennedy, a crime, then they are committing a much greater crime by not preserving this historical site," Mayhew said.

Mayhew said that D. Harold Byrd, the Dallas businessman from whom he purchased the building in 1970, and Republic National Bank, which is handling

(Indicate page, name of newspaper, city and state.)
"The Dallas Morning News", Dallas, Texas

Page 1

Date: 7-17-72
Edition:
Author:
Editor: JACK B. KRUGER
Title:

Character:
or
Classification:
Submitting Office: DALLAS

☐ Being Investigated

62-109060-7061

ENCLOSURE

the mortgage, have been reasonable in their dealings with him. "They've gone as far as they can without money," he said.

The building will be back in Byrd's hands in about a month if Mayhew does not take steps to retain it.

He said there were steps he could take to "deter" foreclosure but declined to specify what these steps are.

At present, the only part of the building open to the public is the small lobby. Mayhew said he could make a great deal of money by charging visitors to tour the sixth floor of the building from which Oswald allegedly fired the shots.

But Mayhew said he feels that to make the site a commercial enterprise would "taint" his project. "I couldn't make enough money to offset the damage to the project. I'm a collector," he said. "That means you preserve."

He said he plans to use the building for a museum, which would house his collection of over 200,000 items of memorabilia pertaining to Kennedy and the assassination. The collection is considered the most extensive in existence.

Mayhew said the "City of Dallas has neglected the greatest opportunity they've ever had" in making no efforts to preserve the building.

He estimated that if the building and the land surrounding it were preserved and made into a cultural center and museum, and promoted nationally, it would eventually draw 10 million tourists to Dallas ever year.

"This is the site of the assassination of the most spirited, influential, youthful president in American history," Mayhew said. "He symbolized the youth of America. And it is this generation's obligation to preserve that memory."

UNITED STATES GOVERNMENT

Memorandum

TO : Acting Director, FBI (62-109060) DATE: August 8, 1972

FROM : Legat, Rome (62-168) (P)

SUBJECT: ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY
NOVEMBER 22, 1963, DALLAS, TEXAS
MISCELLANEOUS - INFORMATION CONCERNING

[redacted]

8/28/60	108,696 clips
7/21/61	217,392 clips
6/9/62	108,696 clips
Total	434,784

62-109060-7062

ENCLOSURE

7 - Bureau (Encs. 13)
(1 - Foreign Liaison Desk)
(2 - Dallas 89-43)
(2 - Philadelphia)
1 - Rome (62-168)
TJB:hcs;Meg
(8)

20 AUG 15 1972

EX-108

5 CAUG 23 1972

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

[redacted]

The Bureau may desire to have the Philadelphia Office contact SLEMMER to ascertain whether he is in possession of any new relevant information which should be brought to our attention.

Ministero della Difesa
Direzione Generale Armi Armamenti Terrestri
00100 ROMA (Italy)

Dear Sir:

Several weeks ago, I was notified of your address by the spokesman of a private company located in Italy. Briefly, I will attempt to outline the affair I am researching, and yet, enclose sufficient information for you to be able to answer my questions, if possible.

In 1964, the Presidential Commission which investigated the assassination of President John F. Kennedy revealed a great deal of information about the manufacture and distribution of the Mannlicher-Carcano rifle, allegedly used by the assassin. This was a 6.5 millimeter, Model 91/38 manufactured at Terni, in 1940. However, with respect to the ammunition-clip which was indispensable for rapid-firing of the rifle, the Commission's Report was less than complete.

After describing the manner in which the ammunition-clip functions, page 555 of the Warren Report states, as follows: "When the rifle was found in the Texas School Book Depository Building it contained a clip which bore the letters "SMI" (the manufacturer's markings) and the number "952" (possibly a part number or the manufacturer's code number). The rifle was probably sold without a clip; however, the clip is commonly available." You will note just how vague several of the quoted statements are.

In order that you might follow my communication, I have numbered, in red ink, each of the photocopies enclosed.

You will note in Copy #1, that S.M.I. answered several of the questions concerning the ammunition-clip, which the Warren Commission failed to resolve. However, S.M.I. could not reveal the quantity of clips manufactured in 1952, or how, one clip, at least, was shipped to the United States.

I realize that individual ammunition-clips do not contain serial numbers, such as those found on each rifle manufactured, but could you supply me with the answers to the following questions:

1. How many clips, suitable for use in the Mannlicher-Carcano 91/38 were manufactured in 1952?

2. On what date, and to which American Company were these clips sold?

I would like to attempt to trace the route of the ammunition-clip from its United States importer to Oswald, if possible. The Commission never established this, nor did it establish where Oswald obtained ammunition for the rifle. If you can furnish answers to my questions, I would appreciate this, greatly.

60-10040-7052

ENCLOSURE

I have also enclosed Xerox-copies of several photos, which were not published in the Warren Report, but have since become available in the National Archives. They may be of some interest to you, and members of your staff; I have no way of knowing how much material you have available concerning the assassination.

Copy #2 shows an ammunition-clip similar to the one allegedly found in the rifle.

Copy #3 is a photo of the Mannlicher-Carcano 91/38. Oswald allegedly brought this rifle from a mail-order Sporting Goods Store located in Chicago, Illinois, using the alias, A.J. Hidell. A strange item disclosed after The Commission dissolved, was that the advertisement in the magazine from which he clipped the mail-order coupon, offered for sale, "Italian Carbines, 36 inches long, weight - 5½ pounds." The rifle found in Dallas was 40½ inches long, and weighed 8 lbs. The discrepancy between the rifle described in the ad, and the one found in Dallas was never resolved.

The Commission did disclose, that in 1960, the Italian Army sold the C2766, along with a quantity of other rifles, to Adam Consolidated Industries, Inc., Via Sirte 62, Roma. This particular rifle was shipped from Genoa to Hoboken, New Jersey, in 1960, and then invoiced to Crescent Firearms, Inc., Yonkers, New York. In February, 1963, the C2766 was shipped to Klein's Sporting Goods, located in Chicago.

Copy #4 is a picture of the spot from which Oswald allegedly fired the rifle. The rifle was located in the rear-section of this same, sixth-floor.

Copies #5 and #6 are of particular significance, since The Commission concluded, that three shots were fired from the sixth-floor window. The unfired cartridge was found in the chamber of the rifle. The police did not mark the cartridges prior to picking them up, so there was no way, later, to determine which one of those cartridges pictured in Copy #4 had the dented-lip. Perhaps, in the past, you have had occasion to see a cartridge similar to the one pictured in Copy #6. It certainly doesn't appear to be a "normal" cartridge.

Copies #7 and #8 show comparison tests of CE 399, the bullet found on a hospital stretcher in Dallas, and various test-bullets. The section of CE 399, circled with red ink, was scraped-off for spectographic-analysis tests with other bullet fragments found in the Presidential limousine, and some removed from Governor Connally's wrist. The results of those tests have yet to be revealed.

The Commission concluded, that President Kennedy and Governor Connally were both wounded by CE 399 after analysis of an amateur movie taken at the time of the assassination revealed, that the bolt of the Mannlicher-Carcano could not have been operated fast enough for two shots to have been fired, in the allotted time. Otherwise, there would have had to have been, at least, one more gun involved in the shooting.

You will note that the bullet, CE 399, is almost in perfect condition, after supposedly passing through President Kennedy's neck, then entering Governor Connally's back, smashing his fifth-rib, then exiting from the front of his chest, and then passing thru his wrist - breaking the bone pictured in the

X-ray, and then entering his thigh. There is still a small bullet fragment embedded in the femur of Governor Connally's thigh.

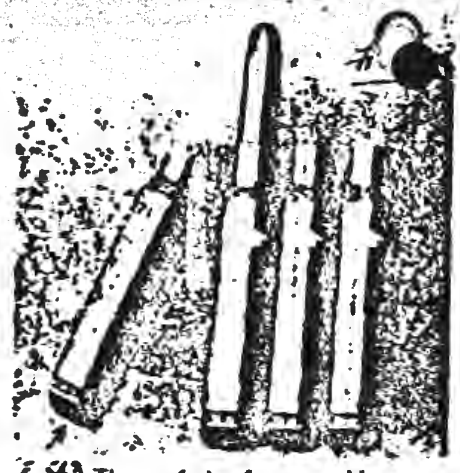
Critics of the Commission's conclusions have questioned whether a bullet, which allegedly caused so much damage, especially after the passage thru two bony areas, would remain in almost perfect condition. CE 399 weighs 158.6 grains (troy); three unfired test bullets chosen at random for comparison by the Commission weighed 160.8, 161.5, and 161.1 grains, respectively.

I hope that you can answer my questions in regard to the ammunition-clip. The Warren Commission disbanded in 1964, and although my Congressman and Senators have been most helpful in attempting to solve some of the unanswered questions relating to the assassination, I do not like to bother them concerning questions I am able to ask, myself.

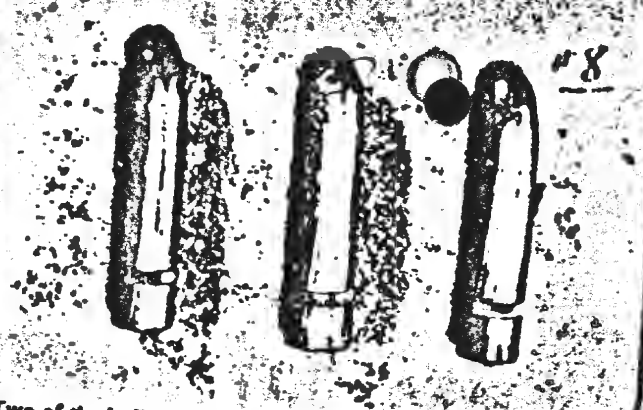
Sincerely yours,

Edward R. Slemmer

Mr. Edward R. Slemmer
136 South Fulton Street
Allentown, Pennsylvania 18102
U.S.A.



CE 543 Three of the four cartridge cases bear chambering marks characteristic of Oswald's rifle. The fourth lacks a chambering mark and has a dented lip.

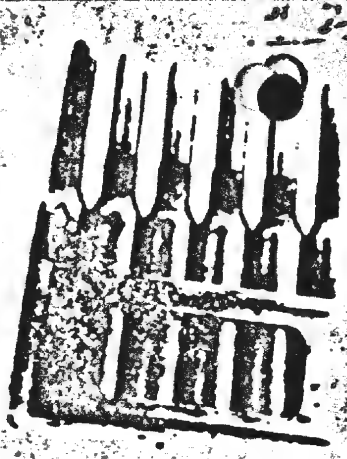


#8

Two of the bullets above were fired into long tubes filled with cotton. The third, according to the Commission, was fired through two people, causing seven separate wounds, and shattering two large bones. (The bullet in the middle, CE 399, is the one purported to have done all the damage.)



Commission Exhibit 543. This dented cartridge case found on the sixth floor of the Depository could not (in this condition) have held a projectile on November 22.

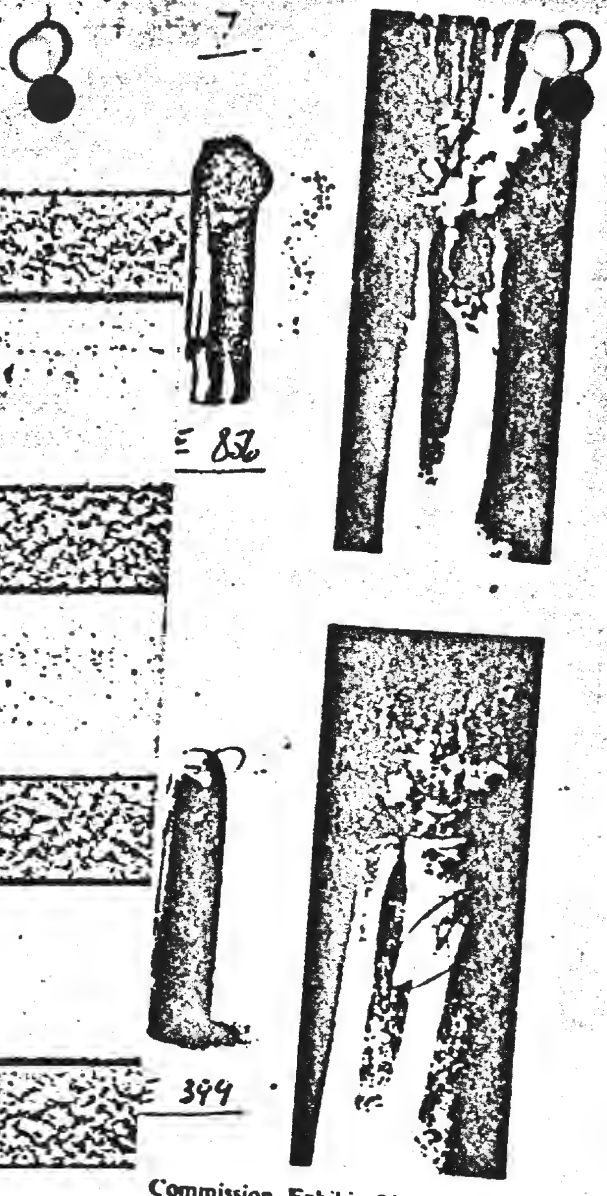


The clip found in the rifle on the sixth floor holds six cartridges but held only four on November 22.

A 5



Commission Exhibit 139 Oswald's rifle, found on the sixth floor of the Depository.



Commission Exhibit 856 and the cadaver's wrist through which it was fired. Commission Exhibit 399 and Governor Connally's wrist through which it was supposedly fired.



Photo of sniper's nest in the
pository taken by the Dallas P
Note two cases next to the wi
a third some distance away.

FD-26 (Rev. 5-22-64)

FBI

Date: 8/15/72

Transmit the following in _____ (Type in plaintext or code)

Via AIRTEL _____ (Priority)

TO: ACTING DIRECTOR, FBI (62-109060)

FROM: SAC, DALLAS (89-43) (P*)

SUBJECT: ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY,
DALLAS, TEXAS
11/22/63
MISCELLANEOUS - INFORMATION CONCERNING

OO - DALLAS

Enclosed for the Bureau are 10 newspaper clippings described as follows:

(1) "The Dallas Morning News" of 7/27/72, captioned "Mayhew Indicted for Felony"

(2) "The Dallas Morning News" of 7/27/72, captioned "Employe Charged in Fire"

(3) "The Dallas Times Herald" of 7/27/72, captioned "Arson Charges filed Over Depository Fire"

(4) "The Dallas Morning News" of 7/28/72, captioned "Mayhew to File Fire Suit"

(5) "The Dallas Morning News" of 8/1/72, captioned "Attorney Files for Depository"

(6) "The Dallas Morning News" of 8/2/72, captioned "Mayhew Loses Old Depository at Auction" ST-111 REC-8 62-109060-7063

(7) "The Dallas Times Herald" of 8/2/72, captioned "Bank Forecloses on Depository"

ENCLOSURE REC-110

10 AUG 17 1972

(2) - Bureau (Enc. 10)
1 - Dallas
RPG:kch
(3)

62 AUG 28 1972

Approved: _____ Special Agent in Charge

Sent _____ M Per _____

U.S. Government Printing Office: 1972 — 455-574

(8) "The Dallas Morning News" of 8/4/72, captioned "School Book Depository is Separate from Famous Building"

(9) "The Dallas Morning News" of 8/4/72, captioned "Grand Jury to Get Arson Testimony"

(10) "The Dallas Morning News" of 8/5/72, captioned "Mayhew Goes to High Court for Building".

All of the above articles related to the Texas Schoolbook Depository Building from which the assassination of President JOHN FITZGERALD KENNEDY was performed. These clippings deal with a recent fire at this building and the financial difficulties being experienced by AUBREY MAYHEW in making the payments on this building which he purchased about two years ago.

The above articles are furnished the Bureau for information.

(Mount Clipping in Space Below)

Mayhew Indicted For Felony

Aubrey Mayhew, owner of the old Texas School Book Depository in Dallas, has been arrested and released on bond in Nashville, Tenn., following a grand jury indictment, on a felony charge.

Thomas Shriver, Davidson County district attorney, told the News that Mayhew was indicted on charges of obtaining money under false pretenses. Mayhew allegedly made a fraudulent sale of a piano advertised in newspapers as a Steinway.

A Franklin, Tenn., man told investigators he contacted Mayhew last February in response to a classified advertisement. The man claimed he gave Mayhew a check for $1,200 before discovering the piano was not manufactured by Steinway.

An October trial date is expected for the Nashville record store owner, Shriver said, with a possible three to 10-year sentence. Mayhew was indicted by the Davidson County grand jury last week.

(Indicate page, name of newspaper, city and state.)
"The Dallas Morning News", Dallas, Texas
Page 1A

Date: 7-27-72
Edition:
Author:
Editor: JACK B. KRUGER
Title:

Character:
or
Classification:
Submitting Office: DALLAS

☐ Being Investigated

62-109060

ENCLOSURE

70L.3

(Mount Clipping in Space Below)

School Book Depository

Employe Charged in Fire

By ROBERT FINKLEA

A 25-year-old caretaker at the former Texas ~~School Book~~ Depository was arrested Wednesday afternoon and jailed on charges of setting fire to the historic building last Thursday.

Chief Ernest Emerson of the fire department investigation division said charges of arson were filed against Winfred Jack Anderson, an employe of Aubrey Mayhew, a Nashville, Tenn., businessman who purchased the depository in 1970.

B. APPROX. 1 7:41

Anderson was arrested at his apartment at 8145 Southwestern Blvd. and brought before Justice of the Peace Robert R. Cole. Charges of arson were filed in Cole's court and Anderson, after arraignment, was placed in the county jail in lieu of $10,000 bond.

Fire ~~investigators~~ declined to reveal evidence on which they based their charge against Anderson.

The depository was hit by a 2-alarm fire last Thursday morning which caused damage preliminary estimates placed at $5,000. Emerson said, however, that much of the damage was from water and a final estimate will be made later after the walls and floors of the 68-year-old building are checked for warping.

The sixth floor window of the building was the spot from which Lee Harvey Oswald is accused of firing shots Nov. 22, 1963, that killed President John F. Kennedy.

Emerson said 20 gasoline cans were found throughout the building after firemen, aided by overhead sprinklers, doused the blaze. Gasoline had been poured throughout the building.

Anderson met firemen as they arrived at the building and said he had opened the small lobby at Houston and Elm and smelled smoke.

Anderson was quoted in a July 21 Dallas News report of the depository fire as saying he was met by a "sheet of flames" on the first floor when he opened the building.

Pete Nunez, of the fire department public affairs division, said there was "next to no fire on the first floor" and that the fire had been almost exclusively on the top floors of the building.

Asked if further arrests were pending in the case, Emerson would only reply: "We are not in a position to say. The investigation is continuing, and if anybody else is involved, we want to know."

Mayhew purchased the building in 1970 from Dallas businessman Col. D. Harold Byrd for $650,000.

(Indicate page, name of newspaper, city and state.)

"The Dallas Morning News", Dallas, Texas

Page 1A

Date: 7-27-72

Edition:

Author:

Editor: JACK B. KRUGER

Title:

Character:

or

Classification:

Submitting Office: DALLAS

☐ Being Investigated

ENCLOSURE

62-109060-7013

(Mount Clipping in Space Below)

Arson charges filed over depository fire

Arson charges have been filed against a 25-year-old Dallas man in connection with a two-alarm fire last Thursday at the old Texas School Book Depository building.

The man, identified as Winfred Jack Anderson of 8145 Southwestern Blvd., was arraigned before Peace Justice Robert Cole Wednesday. Bond was set at $10,000.

Police said Anderson allegedly was responsible for the blaze, which engulfed three floors of the old building at 413 Elm St.

The building, currently being turned into a museum, is the hiding place accused assassin Lee Harvey Oswald chose in November, 1963 to fire three fatal shots at President John F. Kennedy.

Anderson, who worked in the building, was interviewed by a Times Herald reporter minutes after the fire was reported.

Anderson told The Times Herald he had gone to the building's front door to open up about 9:40 a.m. When he stepped inside, Anderson said he "saw a sheet of flames. I immediately ran out and called the fire department."

Anderson went on to say, "I'm not surprised this happened. We have had some break-ins before. We get some real kooks who come to the building."

The building was bought two years ago by Aubrey Mayhew of Nashville, Tenn. He bought the seven-story, red brick building from D. H. Byrd of Dallas for $650,000.

Mayhew plans to open the building next spring as "The John F. Kennedy Memorial Center," and it is expected to contain Mayhew's collection of Kennedy memorabilia.

(Indicate page, name of newspaper, city and state.)

"The Dallas Times Herald", Dallas, Texas,
Dallas, Texas

Page 1B

Date: 4-27-72

Edition:

Author:

Editor: FELIX R. MCKNIGHT

Title:

Character:
or
Classification:

Submitting Office: DALLAS

☐ Being Investigated

3 62-109060

703

(Mount Clipping in Space Below)

Mayhew to File Fire Suit

False Arrest of Employe, Trespassing to Be Charges

By TONY CASTRO

An attorney for Texas School Book Depository owner Aubrey Mayhew said Saturday that Mayhew would file suit in federal court against a Dallas fire official and three other persons in connection with the recent fire that caused minor damage to the building.

The suit, expected to be filed Monday, reportedly will charge false arrest of a Mayhew employe and trespassing.

"The constitutional, property and civil rights of both Mr. Mayhew and his employe have been violated," said John J. Solon, a Dallas attorney representing Mayhew.

Solon accused the Dallas Fire Department of illegally taking possession of the depository after the building was set ablaze by arsonists 10 days ago.

Fire officials have ordered the depository locked and have placed round-the-clock guards at the building while they press their investigation of the fire.

Winfred Jack Anderson, 25, Mayhew's building manager of the depository, last week was charged with setting fire to the building. He remained in the Dallas County Jail late Saturday, with bond set at $10,000.

Solon said the defendants in the suit will be the fire department's investigative chief, Ernest Emerson, three guards stationed at the depository and "possibly others."

Solon said the decision to file suit was made after failure to get satisfactory answers from fire officials. He said he has been allowed into the building only once since the fire.

Mayhew, a record company executive from Nashville, Tenn., bought the depository for $650,000 in April of 1970. He has announced intentions of turning the building into a museum, but recent financial troubles have left his future ownership of the depository in doubt.

In its investigation of the 1963 assassination of President John F. Kennedy, the Warren Commission ruled that the depository was the site from which Lee Harvey Oswald allegedly fired the shots that killed Kennedy and wounded then Texas Gov. John B. Connally.

Mayhew, known for his elusiveness, could not be reached for comment Saturday.

Fire officials have estimated the damage caused to the depository by the arson attempt at $5,000, most of it resulting from water and smoke.

The brief fire in the 68-year-old building poignantly dramatized the troublesome fate of what has become the city's biggest tourist attraction.

(Indicate page, name of newspaper, city and state.)
"The Dallas Morning News", Dallas, Texas
Page

Date: 7-28-72
Edition:
Author:
Editor: JACK B. KRUGER
Title:

Character:
or
Classification:
Submitting Office: DALLAS

☐ Being Investigated

It has been the latest incident in a continuing controversy over the depository's future role as a historical landmark.

At the heart of the matter is whether the depository will remain under private ownership or be taken over by either the State of Texas or the City of Dallas for use as a public historical site.

It is an issue which, though often raised, had been generally ignored by the city's business, civic and political leadership until a little more than two years ago when the depository was bought at auction by Mayhew, a Kennedy buff who announced he would turn it into a museum.

Fearing a privately-owned depository would be turned into a tourist trap, Dallas leaders took notice.

Last October, the Dallas Chamber of Commerce quietly passed a resolution urging state acquisition of the depository, a move for which Dallas State Sen. Mike McKool had been pleading unsuccessfully for three years.

"It would have been a tragedy in history if the depository had been destroyed," said McKool. "This will hasten action by the Legislature. It will make it imperative for the Legislature to act."

(Mount Clipping in Space Below)

Fights Foreclosure

Attorney Files For Depository

By EARL GOLZ

An attorney for Aubrey Mayhew planned to file a revised federal court plea Tuesday morning to try to stop foreclosure on Mayhew's former Texas Schoolbook Depository by Republic National Bank later in the day.

Attorney John J. Solon submitted a petition for a temporary restraining order Monday but later was told the document needed more details before a ruling could be made.

The petition stated that the bank would foreclose on the deed of trust for the historic building between 10 a.m. and 4 p.m. Tuesday unless a temporary restraining order was signed by a federal judge.

Mayhew, a Nashville, Tenn., businessman, purchased the building in 1970 for $650,000 from Dallas businessman D. Harold Byrd. Republic National Bank is holding the mortgage.

Lee Harvey Oswald is accused of firing shots from the sixth floor window of the building and killing President John F. Kennedy on Nov. 22, 1963.

Solon simultaneously filed a petiition for a writ of habeas corpus to free Winfred Jack Anderson, who is charged with setting fire to the depository building July 20.

Anderson, Mayhew's building manager, is in Dallas County jail after failing to post a $10,000 bond.

The petition alleges Anderson is "unlawfully imprisoned and detained" by Sheriff Clarence Jones under a bond that is "cruel and excessive."

U.S. Dist. Judge Sarah T. Hughes had been assigned both petitions but she won't return from vacation for another week. Another federal judge probably will rule on the petition for a temporary restraining order if it is filed in time Tuesday morning.

Mayhew reportedly is several months behind in his $6,000-a-month payments on the building. He told The Dallas News recently that Republic National Bank had been reasonable and had "gone as far as they can without money."

He has said he plans to use the building for a museum housing his collection of more than 200,000 items of memorabilia about Kennedy and the assassination.

However, his federal court petition Monday complained the original deed to the property contained a provision stating no "alterations or changes in said

(Indicate page, name of newspaper, city and state.)
"The Dallas Morning News", Dallas, Texas
Page 10

Date: 8-1-72
Edition:
Author:
Editor: JACK B. KRUGER
Title:

Character:
or
Classification:
Submitting Office: DALLAS
☐ Being Investigated

SEARCHED ... INDEXED ...
SERIALIZED ... FILED ...
AUG 7 - 1972
FBI — DALLAS

62

improvements" to the building can be made without prior written consent from Byrd.

The petition asserted the language was "vague and indefinite" unless Byrd was implying that Mayhew was "simply to forever guard an empty building, or some other hidden meaning." He said the provision needs to be "clarified and construed" by the federal court.

The purchasing and financing of the building was not a regular commercial venture, the petition said, because Mayhew, "for patriotic and historical reasons, sold his printing business that it took him 20 years to build" so he could make a down payment on the property.

A fire "of unknown origin" has caused the Dallas Fire Department to take possession of the building without Mayhew's permission, the petition states, "which constitutes trespass."

The fire department has refused anyone admission to enter the building, Mayhew's court documents assert, permitting water to accumulate and remain on the wooden floors, causing them to "buckle, crumble and disintegrate."

The water-logged condition of the building will permit the City of Dallas to order the structure demolished, the petition states.

(Mount Clipping in Space Below)

Mayhew Loses Old Depository At Auction

By GEORGE PROCTOR

Despite Aubrey Mayhew's attempts to block foreclosure on the former Texas Schoolbook Depository, the historic building returned to the hands of Dallas businessman D. Harold Byrd in public auction Tuesday.

Byrd was the only bidder—offering $471,958.77 for the building—at a foreclosure sale held on the steps of the Dallas County Courthouse about noon.

Byrd said he planned to resell the building and was working on a "$1.1-million deal.

"I'm going to sell it. I have several deals working now," Byrd said. "A whole lot of people are interested in it. I will sell it on a first come, first serve basis."

Mayhew, a Nashville, Tenn., businessman, originally purchased the building from Byrd in 1970 for $650,000. Reportedly Mayhew was several months behind in his $6,000-a-month payments, causing the foreclosure.

Following the auction, Byrd explained his bid simply represented the amount Mayhew still owed him on the building and the property was returned to him without a monetary transaction.

Lee Harvey Oswald is accused of firing the shots from the sixth floor window of the building that killed President John F. Kennedy on Nov. 22, 1963.

(Indicate page, name of newspaper, city and state.)

"The Dallas Morning News", Dallas, Texas

Page 1

Date: 8-2-72

Edition:

Author:

Editor: JACK B. KRUGER

Title:

Character:

or

Classification:

Submitting Office: DALLAS

☐ Being Investigated

SEARCHED INDEXED
SERIALIZED FILED
AUG 7 - 1972
FBI - DALLAS

64-9160-706

6

(Mount Clipping in Space Below)

Bank forecloses on depository

Despite last ditch efforts to prevent it, a foreclosure notice has been posted on the historic Texas School Book Depository in downtown Dallas.

Republic National Bank Tuesday afternoon foreclosed on the building after Aubrey Mayhew, a Nashville, Tenn., businessman failed to post a bond in a court action seeking to halt foreclosure.

The bank acted in behalf of oil millionaire D. Harold Byrd.

The building entered into infamy Nov. 22, 1963, when Lee Harvey Oswald is said by the Warren Commission to have fired from it the shots which killed President John F. Kennedy.

The building has been involved in a series of controversies in recent months, culminating in a July 20 fire, which officials call arson.

Winfred Jack (Win) Anderson, an employe of Mayhew, has been charged with setting the fire and is in county jail after failing to post $10,000 bond.

John J. Solon, Mayhew's attorney, has filed a petition for a writ of habeas corpus to free Anderson.

The attorney also attempted to submit a petition for a temporary restraining order to halt foreclosure, but U.S. Dist. Judge Robert M. Hill refused it, saying no ruling could be given until more details were submitted.

A revised petition was submitted Tuesday, but, according to Byrd, Mayhew failed to post a bond necessary for such proceedings.

Byrd, who is asking $1.1 million for the seven-story building, said Mayhew's payments were $6,000 per month. It was reported the Tennessean was three months behind on payments.

Byrd said he prefers the building become office space, although he is not unalterably opposed to a museum plan.

He opposes a museum, he said, "unless it is done right," but would not object if some level of government took charge "like they did with Ford's Theater in Washington."

Byrd added: "I am not a Kennedy advocate. Dallas went all out to see that he got the proper treatment. I reserve the right of approval over whatever the building becomes and I don't want some cheap something."

(Indicate page, name of newspaper, city and state.)

"The Dallas Times Herald", Dallas, Texas,
Dallas, Texas

Page A27

Date: 8-2-72

Edition:

Author:

Editor: FELIX R. MCKNIGHT

Title:

Character:

or

Classification:

Submitting Office: DALLAS

☐ Being Investigated

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SERIALIZED ____ FILED ____
AUG 7 - 1972
DALLAS

7 62-109060-7113

(Mount Clipping in Space Below)

School Book Depository Is Separate From Famous Building

By MARYLN SCHWARTZ

Owners of the Texas School Book Depository Inc. say a continuing association of its firm with the building involved in the assassination of John F. Kennedy is proving to be "extremely embarrassing."

J. C. Cason, president of the School Book Depository, noted that his company rented office space in the building at 411 Elm Street during the time of the 1963 tragedy.

"Because of that, it was referred to as the Texas School Book Depository Building. But we moved our offices to 830 Ambassador Row in 1971, after the building was purchased by Aubrey Mayhew."

He said, however, he keeps reading and hearing reports of recent transactions involving the Texas School Book Depository that are involved with the building.

"One day recently I was in Canada on a business deal when I saw a huge headline that read, 'Texas School Book Depository in Financial Difficulties.' You can imagine what that did to my business deal. It took a lot of explaining."

"It was just getting to the point where it had to stop," he said. "We are no longer in any way, shape or form involved in that building or in any of its transactions. We would like for that to be clear to the public."

Texas law requires that each publisher who has a contract with the State of Texas to furnish textbooks must establish or designate a depository.

"As a result," said Cason, "we have contracts with many publishers to serve as a depository. But our reputation is most important if we are to continue doing business. This recent damage has been extremely difficult to combat."

(Indicate page, name of newspaper, city and state.)
"The Dallas Morning News", Dallas, Texas
Page 1D

Date: 8-4-72
Edition:
Author:
Editor: JACK B. KRUGER
Title:

Character:
or
Classification:
Submitting Office: DALLAS

☐ Being Investigated

SEARCHED ____ INDEXED ____
SERIALIZED ____ FILED ____
AUG 7 - 1972
FBI — DALLAS

(Mount Clipping in Space Below)

Grand Jury to Get Arson Testimony

By GEORGE PROCTOR

Arson charges against Winfred Jack Anderson in connection with a minor fire at the former Texas School Book Depository building were referred to the grand jury Thursday, following an examining trial before Justice of the Peace. Robert Cole.

Anderson, 25, former manager of the building for Nashville, Tenn., business man Aubrey Mayhew, was arrested July 26 and was released from jail Wednesday on $10,000 bond.

Testifying in the examining trial Thursday was U.S. Postal Service Inspector L. S. Crawford who said he viewed two "flashes of flame" in the building as he looked from his office window in the Terminal Annex Building about 9:40 a.m. July 20.

CRAWFORD SAID he could not see anyone near the flames on the fourth and fifth floors of the building, but after he phoned the fire department he saw a man in a light colored shirt, dark pants and white shoes carrying a blue folder leave the building walking rapidly east on Elm Street.

Crawford could not identify the man he saw leaving the building.

Also testifying was Dallas Fire Department Division Chief E. A. Emerson who said that when he talked with Anderson at 10:15 a.m., July 20, Anderson was wearing a light colored shirt, blue jeans and white tennis shoes. He also said Anderson was carrying a blue folder.

Emerson also said that gasoline, found in containers in tte building, had been analyzed and an investigation revealed it had been purchased at a service station at Industrial and Howell streets. He said the station's attendant, Sam Harris, had identified Anderson as the man who had purchased the gasoline.

FIRE DEPARTMENT Capt. B. V. Gulley previously testified that containers of gasoline were found on all floors of the building as well as the building's stairwell.

Defense attorney Kevin Clancy moved that the charges against Anderson be dropped noting Emerson's testimony was hearsay and that the state had not produced Harris, although he had been subpoenaed. He contended the state had failed to link Anderson with the fire.

However, Cole ruled that Emerson's testimony indicated to what Harris would have testified and referred the case to the grand jury.

(Indicate page, name of newspaper, city and state.)
"The Dallas Morning News", Dallas, Texas
Page 8A

Date: 8-4-72
Edition:
Author:
Editor: JACK B. KRUGER
Title:

Character:
or
Classification:
Submitting Office: DALLAS

☐ Being Investigated

INDEXED
FILED
AUG 7 - 1972
FBI — DALLAS

62 109-60

(Mount Clipping in Space Below)

Mayhew Goes To High Court For Building

The attorney for Aubrey Mayhew turned to the U.S. Supreme Court Friday to try to recover the former Texas Schoolbook Depository building from the man who bought it back earlier in the week.

John J. Solon filed a "notice of appeal" to the high court to try to retrieve the historic building from Dallas businessman D. Harold Byrd, who bought it for $471,958 at a foreclosure sale Tuesday.

Byrd was the original owner of the structure and sold it to Mayhew, a Nashville, Tenn., businessman, in 1970 for $650,000.

Mayhew had plans to convert the building into a museum housing his collection of more than 200,000 items of memorabilia about President John F. Kennedy and his assassination. Lee Harvey Oswald is accused of killing Kennedy by firing shots from the sixth floor window of the building on Nov. 22, 1963.

Mayhew, however, fell behind in his $6,000-a-month payments, leading to the foreclosure.

Solon said he still has time to file a notice of appeal through the more conventional route of the Fifth U.S. Circuit Court of Appeals if the Supreme Court refuses to consider his case.

Solon got into federal court when he submitted a petition for a temporary restraining order against the foreclosure sale.

U.S. Dist. Judge Robert M. Hill, however, refused to grant or deny the restraining order in time to stop the sale because he said Solon's petition wasn't prepared properly.

(Indicate page, name of newspaper, city and state.)
"The Dallas Morning News", Dallas, Texas
Page 17

Date: 8-5-72
Edition:
Author:
Editor: JACK B. KRUGER
Title:

Character:
or
Classification:
Submitting Office: DALLAS

☐ Being Investigated

SEARCHED ____ INDEXED ____
SERIALIZED ____ FILED ____
AUG 7 - 1972
FBI - DALLAS

To: Los Angeles (56-156) 3/16/72

1 - Mr. Arendt

From: Acting Director, FBI (62-537)

SUBJECT: Assassination of Pres. John F. Kennedy

Enclosed for Los Angeles are two copies of a proposed statement of George C. Thomson to the Los Angeles County Grand Jury regarding the alleged murder of Senator Robert F. Kennedy. This document was received at FBIHQ in an envelope of the ITT, 320 Park Avenue, New York, New York 10022, and postmarked Glendale, California. There is no indication as to who sent this document although it is assumed it was sent by George C. Thomson who is well-known to your office.

Los Angeles should make available to the Los Angeles Police Department a copy of this document.

Enclosures (2)

HWA:db (4)

NOTE: The document referred to is dated June 20, 1970, and consists of nine pages, including charts. Thomson points out that his investigation has shown that President Kennedy was not shot and killed in Dallas, Texas, but that J. D. Tippit was instead shot while disguised as President Kennedy. Thomson is further convinced that Sirhan Sirhan is not the assassin of Senator Robert Kennedy and because of certain discrepancies he indicates a possibility that Senator Kennedy may still be

MAILED 5
AUG 16 1972
FBI

Bureau files show Mr. George C. Thomson at Glendale, California, is a civil engineer obsessed with the idea that Oswald did not assassinate President Kennedy. He is a prolific letter writer and a chronic complainant of the Los Angeles Office. Interviews with Bureau personnel have raised questions as to his mental stability. Los Angeles recommended on 4/2/65 that the Bureau not answer any inquiry received from him.

62-109060

NOT RECORDED
203 AUG 22 1972

58 AUG 24 1972

MAIL ROOM ☑ TELETYPE UNIT ☐

ORIGINAL FILED IN 62-109060-4206

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA FPMR (41 CFR) 101-11.6

UNITED STATES GOVERNMENT

Memorandum

TO : ACTING DIRECTOR, FBI (62-109060) DATE: 8/17/72

FROM : SAC, WFO (89-75) (C)

SUBJECT: ASSASSINATION OF PRESIDENT
JOHN F. KENNEDY,
NOVEMBER 2, 1963,
DALLAS, TEXAS
MISCELLANEOUS INFORMATION
(OO: DALLAS)

Enclosed for the Bureau is one copy of a Petition for a Writ of Certiorari in the U. S. Supreme Court filed August 7, 1972, Case Number 72-210.

Above petition is being submitted to the Bureau for purposes of information only in connection with JOHN NICHOLAS, Petitioner appealing the denial for access to evidentiary items preserved by the Government in connection with captioned assassination.

No references are made to the FBI.

Bureau requested to return petition to WFO.

EX-104
REC 17 62-109060-7064

6 AUG 18 1972

(2) - Bureau (Enc. 1) ENCLOSURE
1 - WFO

CWC:djw
(3)

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

SAC, WFO EX-104 (89-75) 9/13/72

REC-126
Acting Director, FBI (62-109060)-7064 1 - Mr. Arendt

ASSASSINATION OF PRESIDENT
JOHN F. KENNEDY,
NOVEMBER 2, 1963,
DALLAS, TEXAS
MISCELLANEOUS INFORMATION
OO: DALLAS

ReWFOlet dated 8/17/72.

Enclosed herewith and per your request is a copy of a petition for a Writ of Certiorari which you enclosed with referenced communication.

Enclosure

NOTE: John Nicholas, Petitioner, has filed a Writ of Certiorari in the U. S. Supreme Court which appealed the denial for access to evidentiary items preserved by the Government in connection with captioned assassination. It was his claim that the Archivist of the U. S. and the Department of the Navy had wrongfully refused to make available to him records to which he was entitled. U. S. Court of Appeals for the Tenth Circuit had affirmed ruling of the District Court of Kansas. Petition being returned to WFO per their request in referenced communication.

HWA/11h
(4)

MAILED 9
SEP 13 1972
FBI

70 SEP 18 1972

FD-36 (Rev. 5-22-64)

FBI

Date: 9/8/72

Transmit the following in _____ (Type in plaintext or code)

Via AIRTEL _____ (Priority)

TO: ACTING DIRECTOR, FBI (62-109060)

FROM: SAC, DALLAS (89-43) (P*)

SUBJECT: ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY,
DALLAS, TEXAS
11/22/63
MISCELLANEOUS - INFORMATION CONCERNING

OO - DALLAS

Enclosed for the Bureau are three newspaper clippings described as follows:

(1) "The Dallas Times Herald" of 8/20/72, captioned "Error in JFK autopsy blamed for conjectures"

(2) "The Dallas Times Herald" of 8/27/72, captioned "Wasn't possible for Oswald to act alone, says coroner"

(3) "The Dallas Times Herald" of 8/29/72, captioned "City studies plan to buy old Book Depository site"

The above articles are furnished the Bureau for information.

EX-104

REC-47 62-109060-7065

ENCLOSURE

2 - Bureau (Enc. 3)
1 - Dallas
RPG:kch
(3)

SEP 11 1972

353

70 SEP 15 1972

FEB 13

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

*U.S.Government Printing Office: 1972 — 455-574

(Mount Clipping In Space Below)

City studies plan to buy old Book Depository site

Dismissal of a federal suit to stop foreclosure on the building that once housed the Texas School Book Depository, Inc., has opened the door for the City of Dallas to purchase the historic structure.

Federal Judge Sarah T. Hughes Monday dismissed the suit filed by former owner Aubrey Mayhew on grounds it failed to state a claim upon which relief could be granted.

Mayhew filed the suit Aug. 1, one day before the foreclosure. Previous owners D. Harold Byrd and Republic National Bank had asked for the dismissal, claiming the foreclosure was lawful and Mayhew's note on the building was in default.

City Councilmen agreed during a closed-door session Monday to investigate the possibility of purchasing the historical building — the location from which the Warren Commission says Lee Harvey Oswald shot and killed President John F. Kennedy.

This marks the first move by the city to acquire the internationally known building which has been in a state of limbo since foreclosure action began against Mayhew, of Nashville, Tenn.

In confirming he asked for the closed session to propose a possible city takeover of the building, Councilman Garry Weber said, "It's important to get the building off dead center. This has given the city a black eye for nine years."

Council will consider various funding alternatives, including use of federal and state assistance, said Weber. Purchase through private donations also will be considered, he said.

City Atty. Alex Bickley said avenues open to the city include an arrangement utilizing Department of Interior funds to buy the building as a federally designated historic site.

"We do have the authority and the power to purchase it," Bickley said, adding that the council probably will discuss the issue publicly at its next meeting.

Council invoked a legal privilege permitting private discussion of land purchases in discussing the issue behind closed doors prior to the afternoon council meeting.

State Rep. Joe Golman sometime ago announced plans to introduce a bill in the next legislative session, permitting Dallas and Dallas County to claim the building under eminent domain.

ENCLOSURE

(Indicate page, name of newspaper, city and state.)

"The Dallas Times Herald", Dallas, Texas,
Dallas, Texas

Page 4-B

Date: 8-29-72

Edition:

Author:

Editor: FELIX R. McKNIGHT

Title:

Character:
or
Classification:

Submitting Office: DALLAS

☐ Being Investigated

7116

FBI-256 (Rev. 2-16-43)

(Mount Clipping in Space Below)

Interprets JFK autopsy

Wasn't possible for Oswald to act alone, says coroner

PITTSBURGH, Pa. (AP) — A forensic pathologist who examined the records and materials of the autopsy performed on President John F. Kennedy said Saturday that accused assassin Lee Harvey Oswald could not have acted alone.

Dr. Cyril Wecht, Allegheny County Coroner, said at a news conference a two-day examination of the autopsy materials at the National Archives in Washington, D.C. convinced him that it was "physically impossible" for only one gunman to have slain Kennedy.

Wecht's findings were in direct contradiction not only with the Warren Report conclusion that a single assassin was responsible for Kennedy's death, but also with a report by Dr. George K. Lattimer, the first private physician to examine the X-rays.

Wecht said: "The fact is that the physical evidence shows that not any one person could have been a shooter. There had to have been at least two people shooting."

Wecht charged that the single-assassin finding of the lengthy Warren Report hinges on the theory that one bullet fired from a single gun wounded President Kennedy in the back seat of his limousine, and also wounded and passed through Texas Gov. John Connally, who was riding in the front seat.

Lattimer made his report last January, about two months after the expiration of the Kennedy family five-year ban on making public the material.

At that time, Lattimer, chairman of the department of urology at Columbia University College of Physicians and Surgeons, said there was no doubt in his mind that Kennedy was gunned down by a single assailant. He said the X-rays proved that the front and rear wounds in the slain president were caused by the same bullet which passed through Kennedy's body and then struck Connally.

Wecht disagreed. "The magic bullet theory is the sine qua non of the Warren Report," he said. "It is absolutely untenable from a scientific standpoint.

"I was quite amazed at the pristine shape of the bullet," Wecht said. "When one examines the bullet and the various films, there can be little or no question that that bullet did not traverse the body of two men."

He declined to say how many gunmen he thought were involved.

Wecht, a long-time critic of the Warren Report, said he based his findings on an examination last week of X-rays, photographs, films, bullets and bullet fragments.

Wecht said several "extremely relevant" items — including microscopic slides and Kennedy's brain, which he said was to have been preserved— were not made available to him.

"Looking at the X-rays," he said, "I discovered a dark, brownish-black object inside the brain...nobody ever mentioned this previously. Nobody ever described it."

He did not say if he thought the object was a bullet.

Wecht said he will submit to Burke Marshall, executor of the Kennedy estate, a proposal for a full review of the autopsy materials by a team of experts.

Wecht, who is also Director of the Institute of Forensic Sciences at Duquesne University, was granted permission by Marshall to study the autopsy materials.

(Indicate page, name of newspaper, city and state.)

"The Dallas Times Herald", Dallas, Texas,
Dallas, Texas

Page 6A

Date: 8-27-72

Edition:

Author:

Editor: FELIX R. MCKNIGHT

Title:

Character:
or
Classification:

Submitting Office: DALLAS

☐ Being Investigated

7065

ENCLOSURE

Bullet entry angle

Error in JFK autopsy blamed for conjectures

DENVER (AP) — A leading medical expert says a four-inch mistake by a pathologist who examined the body of John F. Kennedy after he was shot to death in Dallas produced a series of false speculations about the assassination.

Dr. Russell H. Morgan said the bullet actually entered the president's skull some four inches higher than initially reported, but the Warren Commission's detailed report on the assassination failed to clarify that point.

Morgan, dean of the medical school at Johns Hopkins University, is the only radiologist to examine the X-ray photographs of the slain president's skull.

In an address to the 34th mid-summer conference of the Rocky Mountain Radiological Society here, he gave X-rays the credit for finally revealing the pathologist's error and disproving many of the more extreme speculations spawned by the mistake, which is included in the Warren Commission report.

Morgan's four-year investigation of the photographs and the Abraham Zapruder film of the assassination led him to several conclusions, he said.

The most important finding was that one of the pathologists who examined Kennedy's body in Washington the night of the assassination erred in saying the fatal bullet entered the "occipital protuberance," or the bulge at the lower section of the back of the skull.

This statement, which Morgan said later proved to be false, was included in the Warren report. Critics of the report immediately noted a major inconsistency between that alleged entry point and several features of the Zapruder film which showed a frame-by-frame sequence of the shooting. Critics said the film showed the president's head in a near vertical position when the bullet hit and also showed him lurching backward, leading to speculation the bullet came from the front.

The angle of the bullet became controversial. Some contended it couldn't have been fired from Lee Harvey Oswald's rifle in the sixth floor of the Texas School Book Depository and entered the skull where the pathologist said it did.

Morgan said the Warren Commission, which named Oswald as the assassin, made no effort to explain the contradiction, allowing it to provide controversy for several years.

When he was given two days to examine the X-ray photographs, Morgan found them of poor quality, severely over-exposed. Of the 14, he said, only three were of the head wound. He said one had pencil marks on the negative itself showing "where somebody thought the bullet had gone."

The penciled [illegible] corresponded to the mistaken pathologist's conclusion that the bullet entered the base of the skull and exited at an upward angle out of the right of the forehead.

But Morgan said he found the actual entry wound was 120 millimeters away from the penciled line, more than four inches higher on the back of the head.

The lurching of the president's body backward, he said, was caused by body spasms after the massive wound was inflicted.

Morgan said the Zapruder film, the ballistics tests, the projected line of fire and the angle of entry of the fatal bullet all were consistent with the explanation that a single shot fired from above and behind killed the president.

"The Warren Commission's diagnosis was correct," he said, "even though the evidence cited was inconsistent."

ENCLOSURE

(Indicate page, name of newspaper, city and state.)

"The Dallas Times Herald", Dallas, Texas,
Dallas, Texas

Page 12A

Date: 8-20-72
Edition:
Author:
Editor: FELIX R. McKNIGHT
Title:

Character:
or
Classification:
Submitting Office: DALLAS

☐ Being Investigated

7465

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA FPMR (41 CFR) 101-11.6

UNITED STATES GOVERNMENT

Memorandum

TO : ACTING DIRECTOR, FBI

DATE: 9/25/72

FROM : SAC, PHILADELPHIA (62-5033) (RUC)

SUBJECT: ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY
NOVEMBER 22, 1963, DALLAS, TEXAS
MISCELLANEOUS - INFORMATION CONCERNING

Re Legat, Rome, Letter to the Bureau dated 8/8/72.

On 9/20/72, EDWARD R. SLEMMER, 136 South Fulton Street, Allentown, Pa., was contacted by SA DAVID A. ROWE. Mr. SLEMMER advised he is a 41 year old school teacher, presently unemployed and recuperating from a recent operation. He stated that he has been interested in the assassination of President KENNEDY and has read the report of the President's Commission concerning this assassination.

Mr. SLEMMER indicated that a number of questions had arisen in his mind concerning the assassination and he has made a number of inquiries throughout the United States and abroad in an effort to resolve these questions. He also advised that one question was whether the rifle used by OSWALD was purchased with the magazine or if the magazine was purchased at a separate location. SLEMMER stated that he was interested in trying to trace the route of the magazine from Italy in an effort to answer this question.

SLEMMER indicated the only research he had conducted concerning the assassination was to read the report of the President's Commission. He noted that his research in this area was a "hobby" to keep him occupied.

REC-42 62-109060-7066

EX-117

6 SEP 26 1972

(2) - Bureau
1 - Philadelphia (62-5033)

DAR:mem

0-7 to Legat Rome for info 9-25-72

5 OCT 5 1972

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

FD-36 (Rev. 5-22-64)

FBI

Date: 9/25/72

Transmit the following in _____ (Type in plaintext or code)

Via AIRTEL _____ (Priority)

TO: ACTING DIRECTOR, FBI (62-109060)

FROM: SAC, DALLAS (89-43)(P*)

SUBJECT: ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY
DALLAS, TEXAS
11/22/63
MISCELLANEOUS - INFORMATION CONCERNING

OO: DALLAS

Enclosed for the Bureau are four newspaper clippings described as follows:

(1) "The Dallas Times Herald" of 9/9/72 captioned "Depository funding draws fire"

(2) "The Dallas Times Herald" of 9/10/72 captioned "Schoolbook Depository Building: A memorial to what?"

(3) "The Dallas Morning News" of 9/11/72 captioned "Book Building Solutions Sought"

(4) "The Dallas Times Herald" of 9/11/72 captioned "Group might try to buy depository"

The above articles are for information of the Bureau.

REC-42 62-109060-7067

EX-117

10 SEP 28 1972

2) - Bureau (Enc.4)
1 - Dallas
RPG:jls
(3)

570CT5 1972

Approved: _____ Special Agent in Charge

Sent _____ M Per _____

*U.S.Government Printing Office: 1972 — 455-574

(Mount Clipping in Space Below)

Book Building Solutions Sought

An unspecified number of "private, interested Dallas citizens" is forming a group to review suggestions for, and possibly buy, the old Texas School Book Depository Building, The Dallas News learned Sunday.

City Councilman Fred Zeder said a 7:30 a.m. breakfast meeting has been scheduled for the group Monday. He declined to name the location. The group has no chairman.

Zeder said the group may raise funds to buy the building and "do something appropriate" or "get some suggestions of what might be appropriate."

The building at Elm and Houston is the location from which Lee Harvey Oswald is accused of shooting and killing President John F. Kennedy Nov. 22, 1963.

Zeder, who feels there is "no saving grace" to the building, said the site might be used as a park, for a school, or as a memorial or museum for the city so "people can understand the true background of Dallas."

COUNCILMEN ZEDER and Russell Smith will present a resolution to the council Monday designed to change an earlier resolution, passed 9-2 Tuesday, made by Councilman Garry Weber.

That resolution put a freeze on the city issuing any permits to change the site and asked that the building be placed under the National Historical Sites Commission.

Zeder and Smith opposed the resolution and will ask the council to rescind it or rescind all but the freeze on permits.

The new proposal, to be made by

(Indicate page, name of newspaper, city and state.)

"The Dallas Morning News", Dallas, Texas

Page 1

Date: 9-11-72

Edition:

Author:

Editor: JACK B. KRUGER

Title:

Character:

or

Classification:

Submitting Office: DALLAS

☐ Being Investigated

62-109060-

[illegible]

Zeder and seconded by Smith, also will invite private enterprise to make proposals concerning the building and site.

Weber issued a statement Sunday saying "I am unable to understand Zeder's and Smith's continued opposition" to his resolution.

"I hope they will realize that we are all in basic accord on our goals and will join with the majority of the council to do what is best for Dallas.

"MY RESOLUTION," Weber said, "does not involve any tax expenditures at this point. It does not mean the building will or must be preserved."

Weber said the National Historical Sites Commission, if given jurisdiction on the building, "may well decide to raze it and make some other fitting use of the site.

"All my resolution is designed to accomplish is to make certain the depository building will never fall into the hands of private promoters or of any who would use it for purposes detrimental to Dallas, or to the memory of President Kennedy."

Weber said he wants the building and the site made public property so that elected officials, responsible to the people, "can make the best judgment of its final disposition."

Both Zeder and Smith felt Weber's resolution sought to preserve the site as is. Smith said Sunday that millions of dollars would be spent refurbishing it and "then when we do get it, I'm not sure what we're going to do with it except make it a shrine to Oswald."

Smith also said, "Neither of us has any qualms about going along with the freeze on permits and demolition until the council decides what it wants to do."

He feels the building has no value as a historic site. "President Kennedy never stepped inside the building; it just has a window a sniper sat in."

WEBER SAID SUNDAY "a 10-year charade" of activities has surrounded the building and site, giving Dallas "a black eye nationally."

"For 10 years, it's been kicked around," he said. "If we don't take this action, there's the possibility it will go to another promoter."

Weber's resolution called for application for federal funds to maintain and preserve the site under the National Historic Preservation Act of 1966.

(Mount Clipping in Space Below)

Schoolbook Depository Building:

A memorial to what?

By FRED M. ZEDER II
Dallas City Councilman

ON THE DAY that President Kennedy was shot, Dallas plunged deeply into the sorrow of the world. But the sorrow of Dallas went perhaps deeper than the rest of the world; and perhaps that sorrow lingers more poignantly here.

The people of the city were dealt a blow, the likes of which few cities in the world have had to bear: their home was called "the city of hate," "the city without a heart." The impression given the world was that this was a city of one-minded right wing extremists, dedicated to a reactionary philosophy of violence.

This impression was false then. It is false today. But it is also the impression that remains in the minds of too many people of the world.

WE ARE NOT going to forget the tragedy of Nov. 22, 1963. We are not going to forget that it happened here. That's why local tax funds were used to construct the block-square Kennedy Memorial in downtown Dallas.

But last Tuesday, the Dallas City Council voted 9-2 to freeze any construction or demolition permits for the Texas Schoolbook Depository Building: to take steps toward having that building placed on the National Registry of historic monuments, and to seek a federal grant for the preservation and maintenance of the building as a memorial.

A crumbling, condemned, ugly, eight-story memorial to what? To the fanatic foul deed of a sick little man? To the fact that for about three seconds of its entire history, one corner of one floor may have provided a sniper's perch for Lee Harvey Oswald?

SURELY, THIS building can never be a memorial to John Kennedy, who never set foot in it, who never knew it existed. And a dilapidated architectural monstrosity is hardly an appropriate memorial to the youthful, zestful ideals of John Kennedy.

We have heard the argument that the historic value of TSBD is similar to that of Ford's Theater, or the Anne Frank House in Amsterdam. The comparisons fail.

Ford's Theater had a long and significant history in the American theater before President Lincoln was assassinated there. Following the assassination, the theater was closed for several months, then reopened as an office and

(Indicate page, name of newspaper, city and state.)
"The Dallas Times Herald", Dallas, Texas,
Dallas, Texas

Page B-3

Date: 9-10-72
Edition:
Author:
Editor: FELIX R. MCKNIGHT
Title:

Character:
or
Classification:
Submitting Office: DALLAS

☐ Being Investigated

62-107060-

SEP 13 1972
FBI — DALLAS

storage building for a government bureau.

It was not until February 1968 that Ford's Theater was reopened to its original purpose. But even now, it does not stand as a memorial to the assassination: it stands as a working theater, housing the National Repertory Theater of the United States. TSBD can claim no previous or later contribution to history; nor can the dilapidated building serve any valuable working function.

IT IS INTERESTING to note that the bloodspattered chair and program held by Abraham Lincoln when he died are not in the theater today, but at Henry Ford's Greenfield Village in Dearborn, Mich. The dedication of the theater as printed in the National Park Service brochure reads "In commemoration of Abraham Lincoln, devoted patron of the theater, concerts and opera, demonstrated in his love for the performing arts." Ford's theater today is only incidentally the location of the assassination of a President.

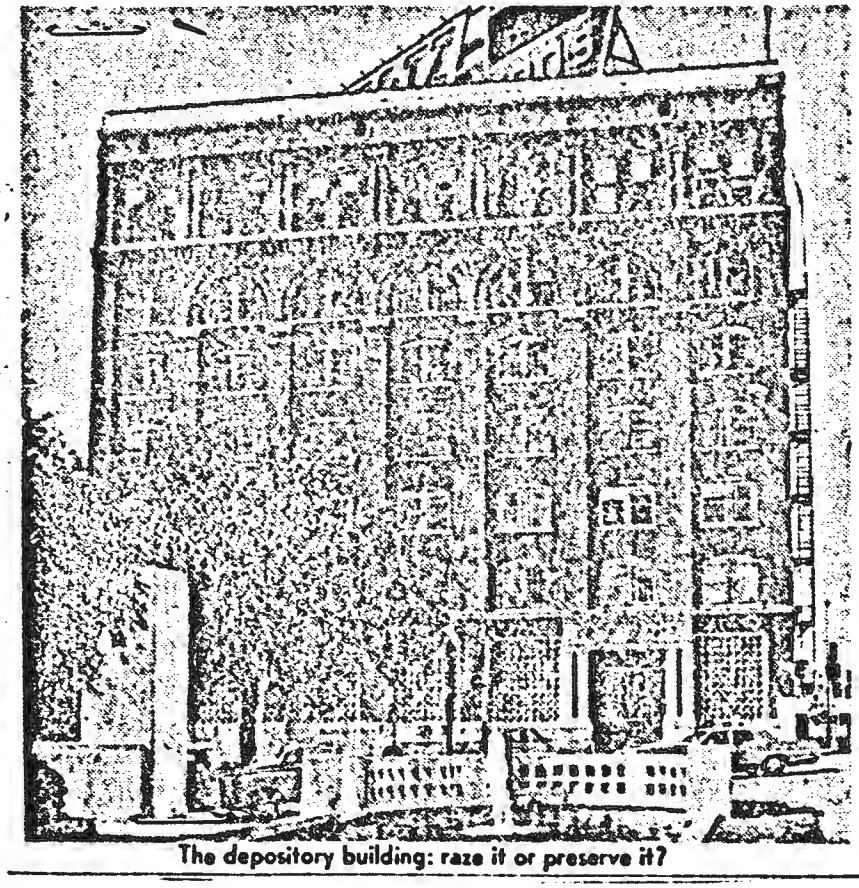
Visitors to the Anne Frank apartment in Amsterdam will find it a testimonial to a brave and gallant spirit, and not as an exploitation of the tragic murder of 6,000,000 Jews.

The Texas Schoolbook Depository bore no relevance to the life of John Kennedy. It happened to provide a vantage point over the motorcade route —no more.

I HAVE NOT HEARD the City Council of Memphis, Tennessee, recommending that the dingy lodging house and the window from which James Earl Ray fired the shot that killed Martin Luther King be memorialized. Nor has Mayor Yorty of Los Angeles, suggested that the kitchen of the Ambassador Hotel in which Sirhan Sirhan assassinated Robert Kennedy be enshrined. Nor has a bronze plaque been struck to identify the University of Texas Tower as the place where Charles Whitman's madness was vented.

None of these places made a contribution to history. They were locations of convenience. And their momentary convenience made them momentarily infamous. The same is true of TSBD.

By declaring it a National Monument then, who would be memorialized —the slayer or the slain? Would we be



The depository building: raze it or preserve it?



Fred M. Zeder II

creating a tourist attraction or a shrine?

A CITY IS more than a population count or a geographical location. A city is its people, people with ideas and ideals. The ideas and ideals of the people of Dallas represent a constant striving for excellence in the quality of life. But, to too many people of the world, Dallas is still the "City of Hate." And our City Council has voted 9-2 to immortalize that libelous legend, with a memorial to mad violence.

It is my profound hope that the Council and the people of this city will give this action a second thought. Let us tear down the Texas Schoolbook Depository Building and replace it with something of reverence and beauty; a park, a school, some kind of living memorial to the ideals of all men who seek a better world.

(Mount Clipping In Space Below)

Depository funding draws fire

A push to rescind a Dallas City Council decision to seek federal funding for purchase of the Texas School Book Depository building is being mapped by two councilmen.

City Councilman Russell Smith said Saturday that he is working with Councilman Fred Zeder on the move.

Smith said they object to spending any tax money—whether federal, state or local—for the building.

Councilman Garry Weber won approval Tuesday of a resolution which would seek National Historic Preservation Act funds for the building.

Weber's resolution, which was opposed by Zeder and Smith in the 9-2 vote, also put a freeze on any applications for demolition or alterations on the building while the city is contemplating federal funding.

Smith said he has no objections to the freeze.

"Weber said he wanted time to figure out what to do to the building, and I don't object to that," he said.

"But, Zeder and I jointly are proposing that the city not seek the taxpayers' money but that if anything is done at all, it should be through private sources," said Smith.

"I would like for the citizens to let the council members know this weekend their feelings on the issue," said Smith. "I feel the vote of 9-2 is not re-

(Indicate page, name of newspaper, city and state.)

"The Dallas Times Herald", Dallas, Texas,
Dallas, Texas

Page 1B

Date: 9-9-72
Edition:
Author:
Editor: FELIX R. McKNIGHT
Title:

Character:
or
Classification:
Submitting Office: DALLAS

☐ Being Investigated

62-107010-

SEARCHED ... INDEXED ...
SERIALIZED ... FILED ...
SEP 13 1972
FBI — DALLAS

flective of the attitude of all the citizens who I don't think want tax money spent on an empty shell of a building."

Smith objected to the section of the City Council resolution stating that the building had achieved historical significance and should be maintained as a monument of national interest.

"The only memorial is that window that Lee Harvey Oswald sat on, and the building has no moral value to the Kennedy family," said Smith, who was a member of the John F. Kennedy Memorial Commission which sought private funding for the existing memorial in the county government complex.

Smith said the placement of the building under control of the National Registry of Historical Places would duplicate the existing Kennedy Memorial.

Zeder and Smith must act at the upcoming council meeting on Monday, under the City Council rules of procedure.

Zeder, who said he was against "any memorializing of that day of infamy with that structure" at a meeting Tuesday night, said he would rather see the building razed and turned into a park.

Zeder said he had conferred with New York City architect I. M. Pei, who designed the new City Hall now under consruction, about alternate plans for the site.

(Mount Clipping in Space Below)

Group might try to buy depository

City Councilmen Fred Zeder and a group of private citizens met Monday "to see that something proper" is done with the building which formerly housed the Texas School Book Depository in downtown Dallas.

Zeder is an avowed foe of tax money being used to purchase the building from which Lee Harvey Oswald allegedly fired the shots which killed President John F. Kennedy and wounded Texas Gov. John Connally.

The Times Herald has learned the group may be trying to raise money to buy the building at Elm and Houston.

Zeder, who feels there is "no saving grace" to the structure, said the site might be used as a park, for a school, or as a memorial or museum for the city so "people can understand the true background of Dallas."

Zeder and Councilman Russell Smith opposed a resolution last week by Councilman Gary Weber which put a freeze on the city issuing any permits to change the site usage and asked the building be placed under the National Historical Sites Commission.

Zeder and Smith were expected to ask the council Monday afternoon to withdraw it or to withdraw all but the freeze on permits.

Zeder is expected to introduce a resolution which would allow private citizens to make proposals about the building and the site.

Weber's resolution called for application of federal funds to maintain and preserve the site under the National Historical Preservation Act of 1966.

(Indicate page, name of newspaper, city and state.)

"The Dallas Times Herald", Dallas, Texas,
Dallas, Texas

Page B-3

Date: 9-11-72

Edition:

Author:

Editor: FELIX R. MCKNIGHT

Title:

Character:

or

Classification:

Submitting Office: DALLAS

☐ Being Investigated

CARDED ... INDEXED ...
SERIALIZED ... FILED ...

SEP 12 1972
FBI — DALLAS

WHH

62-109060-7167

FD-36 (Rev. 5-22-64)

FBI

Date: 11/13/72

Transmit the following in _____ (Type in plaintext or code)

Via AIRTEL AIRMAIL (Priority)

TO: DIRECTOR, FBI (62-109060)

FROM: SAC, NEW ORLEANS (89-69)

SUBJECT: ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY,
DALLAS, TEXAS,
NOVEMBER 22, 1963
MISCELLANEOUS INFORMATION
CONCERNING

(OO: Dallas)

Enclosed for the Bureau are six (6) copies of a letterhead memorandum concerning interview of Mrs. JENNY MOSES at Shreveport, Louisiana, concerning captioned matter. Enclosed for Dallas and San Antonio is one copy each of same letterhead memorandum.

The attached letterhead memorandum is self-explanatory. It should be noted that during interview with Mrs. JENNY MOSES, she admitted she has recently been under psychiatric care at Shreveport, Louisiana. Interviewing Agent was SA RONALD W. BEINNER.

T-113

2 - Bureau (Enc. 6)
2 - Dallas (Enc. 1) (Info)
2 - San Antonio (Enc. 1) (Info)
1 - New Orleans
RWB-gca
(7)

REC-71 62-109060-7068

12 NOV 16 1972

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

*U.S.Government Printing Office: 1972 — 455-574

UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to File No.

New Orleans, Louisiana
November 13, 1972

ASSASSINATION OF
PRESIDENT JOHN FITZGERALD KENNEDY,
DALLAS, TEXAS
NOVEMBER 22, 1963

On November 10, 1972, Mrs. Jenny Moses, Apartment 812, Villa Marquis Apartments, 7107 Jewella Road, Shreveport, Louisiana, telephonically contacted the Shreveport, Louisiana Resident Agency of the Federal Bureau of Investigation (FBI), and requested to speak with a Special Agent of the FBI. She said it was important for her to speak with an Agent, for she had vital information and that she would speak with an Agent only if a meeting could be arranged at a public restaurant. She said she had important information concerning the events of November, 1963.

Arrangements were made for a meeting at Sambo's Restaurant, 1107 West 70th Street, Shreveport, Louisiana, between Mrs. Moses and a Special Agent of the FBI, at which time Mrs. Moses voluntarily furnished the following information:

Mrs. Moses stated that during February, 1963, she resided with her family at Devine, Texas, a suburb of San Antonio, Texas, at which time she was employed as a private secretary to Robert Mc Daniel, the President of H. E. Butt Construction Company at San Antonio, Texas. In February, 1963, she had been employed there for about nine months.

Moses advised that shortly after beginning her employment for Robert Mc Daniel, she learned that he was a personal friend and business associate of then Vice President Lyndon Johnson. Vice President Johnson called Mc Daniel frequently at which time she took the calls and

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JAN 3 1973

ENCLOSURE 62-109060-70

transferred them to Mc Daniel. While doing this, she personally spoke with Vice President Johnson numerous times.

During one day in February, 1963, she took a call from the Vice President and tranferred it to Mc Daniel, who was in his office which adjoined hers. The door was left open and she overheard part of the conversation between Mc Daniel and Johnson. Moses said she heard both Mc Daniel and Johnson speaking in loud angry voices. She said she was able to overhear Johnson, who was yelling, say "Get rid of the 'son of a bitch,' I don't care how, how much it costs, but get rid of the 'son of a bitch' by the end of the year." After this telephone call, Mc Daniel came into her office and she said, "What was that all about?", and Mc Daniel said, "I just got orders to assassinate President Kennedy." Mc Daniel told her that Vice President Johnson told him that he had talked to President Kennedy regarding the high bid on a $2,000,000 grain storage deal that somehow involved Billy Sol Estes. Johnson was refused by Kennedy and became furious.

Moses stated her conversation about this particular telephone call lasted about fifteen minutes with Mc Daniel and it was never discussed since. She said she did not believe it at the time, but since the occurrence of other events, she is convinced that Mc Daniel was involved in the assassination of President Kennedy on the behalf of Lyndon Johnson. She recalled Mc Daniel telling her during this conversation that Kennedy would be dead in six months. Mc Daniel added that he would assassinate his mother for $2,000,000.

Moses further advised that Mc Daniel, acting for the H. D. Butt Construction Company, fronted for Lyndon Johnson in many business deals where Mc Daniel was financially backed by Johnson. She could not furnish specific information concerning deals made, but is certain this is true from telephone calls between Johnson and Mc Daniel during her employment with Mc Daniel.

Moses also stated that the San Antonio firm of Jaffie and Martin was also involved in business deals for Johnson.

She recalled that Mc Daniel made several trips to Pecos, Texas, after receiving the above described telephone call from Johnson. Mc Daniel in 1963, was about 55 years of age.

Moses said she has had no contact with Mc Daniel since that time. She moved with her family to Many, Louisiana, in December, 1963, and lived there for a little over a year and subsequently moved to Shreveport, Louisiana, in May, 1965. She has not come forward with the above information until now as she believes former President Johnson has been and is in a position to learn of any developments in the Kennedy assassination investigation and that she would be in a position of serious harm, if the above information became known. She added that she did not feel she had enough information and could support same. Moses made several comments concerning her personal feeling that Johnson had Kennedy killed as he was the one to have the most to gain from the death of President Kennedy. She said she was advised not to say anything by her husband and other members of her family. However, since the attempt on Governor Wallace's live, she felt she had to come forward as she has.

Mrs. Moses said in recent months she has received psychiatric care from Dr. David Kimbell, at Shreveport, Louisiana. She said Dr. Kimbell had told her not to say anything concerning the matter. She subsequently went to Louisiana State Senator J. Bennett Johnston who was just elected to the United States Senate, and was told to report her information to the FBI.

Mrs. Moses stated she would be willing to take a lie-detector test concerning the above information.

The following descriptive data was obtained through observation and interview:

Name	Jenny Moses
Race	White

ASSASSINATION OF PRESIDENT JOHN FITZGERALD KENNEDY

Sex	Female
Date of Birth	November 27, 1934
Place of Birth	Falk, Arkansas
Height	5'3"
Weight	110 pounds
Hair	Blonde
Eyes	Blue
Social Security Account Number	439-48-3089
Marital Status	Married
	Husband O. L. Moses (Employed, Texas International Petroleum Corporation, presently working offshore of Louisiana on an oil rig.)
Louisiana Driver's License Number	1835075 Picture number - 99 Examining office - 08
Residence	7107 Jewella Road, Shreveport, Louisiana
Employment	Secretary, Ballard's Inc., Sipple Street, Shreveport, Louisiana

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency nor duplicated within your agency.

Mr. Marshall 11/20/72

W. F. O'Connell

DISPOSAL OF EXTRA COPIES OF INVESTIGATIVE REPORTS

The purpose of this memorandum is to recommend the disposal of surplus copies of investigative reports prepared in the following cases:

Jack L. Ruby
ETAL - Civil Rights
Bufile 44-24016

Assassination of President
John Fitzgerald Kennedy,
11/22/63, Dallas, Texas
Miscellaneous - Information
Concerning
Bufile 62-109060

Lee Harvey Oswald
IS-R-Cuba
Bufile 105-82555

Presently a total of 719 extra copies of Bureau investigative reports are contained in file or stored on the Bulky ramp in the Records Branch in the foregoing cases. Additionally, six copies of the President's Commission Report on the Assassination of President Kennedy (Bufile 62-109060-236) are maintained in the Records Branch and occupy voluminous space. Some of these copies were returned to the Bureau by other government agencies when no longer needed. Attached is a tabulation identifying the serial number, name of reporting agent, date of report, number of copies in file and number of copies of reports maintained on the Bulky ramp in each of these cases.

Enclosure

1 - 44-24016
1 - 62-109060
1 - 105-82555

62-109060
NOT RECORDED
167 NOV 30 1972

CTB:mlj
(6)

10 DEC 5 1972

CONTINUED - OVER

ORIGINAL FILED IN

These extra copies of reports occupy six 5-drawer cabinets of valuable filing space which can be recovered if copies are no longer needed. The identical duplicate copies of documents maintained in the same file are "non-record material" and Archival authority is not required to destroy them.

RECOMMENDATION:

That authority be granted for the destruction of duplicate copies of reports in the aforementioned cases and for the excess copies of the President's Commission Report on the Assassination of President Kennedy.

JACK L. RUBY
Bufile 44-24016

SERIAL	REPORTING AGENT	DATE OF MAIL	COPIES IN FILE	COPIES ON BULKY RAMP
658	Manning C. Clements	12/6/63	1	2
804	Manning C. Clements	12/19/63	1	2
810	Manning C. Clements	12/14/63	1	2
847	Manning C. Clements	12/21/63	1	2
890	Manning C. Clements.	12/31/63	1	1
1874	DHB	6/26/64	4	8
2005	PBD	8/13/64	1	6
	TOTAL EXCESS COPIES OF REPORTS		3	23
	TOTAL EXTRA COPIES			26

ENCLOSURE

ASSASSINATION OF
PRESIDENT JOHN FITZGERALD KENNEDY
Bufile 62-109060

SERIAL	REPORTING AGENT	DATE OF MAIL	COPIES IN FILE	COPIES ON BULKY RAMP
2143	Robert P. Gemberling	12/18/63	1	4
2725	"	3/23/64	1	6
2793	"	3/30/64	1	4
3083	"	5/15/64	1	4
3329	"	6/19/64	1	4
3477	"	7/16/64	1	3
3613	"	8/11/64	1	5
3630	"	8/7/64	1	4
3745	"	8/28/64	1	3
3781	"	9/18/64	1	1
3859	"	10/21/64	1	5
3930	"	12/10/64	1	6
4005	"	4/22/65	1	6
	TOTAL EXTRA COPIES OF REPORTS			55

ENCLOSURE

62 109060

LEE HARVEY OSWALD
Bufile 105-82555

SERIAL	REPORTING AGENT	DATE OF MAIL	COPIES IN FILE	COPIES ON BULKY RAMP
416	John T. Reynolds	12/6/63	1	4
454	Warren C. DeBrueys	12/2/63	1	1
455	"	12/8/63	1	3
463	David J. Reid	12/1/63	1	4
464	David M. Harris	12/2/63	1	5
481	Marion C. Street	12/2/63	1	6
505	Robert P. Gemberling	11/30/63	1	3
527	Raymond J. Fox	12/1/63	2	4
560	John James O'Flaherty	12/6/63	3	4
604	Donald G. Harris	12/2/63	2	4
624	Thomas B. Estep	12/5/63	1	2
625	Henry A. Welke	12/6/63	1	6
639	Gerard James Norton	11/30/63	2	4
641	Birl Wilson	12/2/63	1	5
642	W. H. Williams II	12/3/63	1	6
644	Gerard James Norton	12/4/63	2	4
645	John M. Kemmy	12/4/63	1	4
651	Ewald I. Carlson	12/2/63	1	6
654	John M. Kemmy	12/1/63	1	8
655	James J. O'Connor	12/3/63	1	5
663	Richard C. Thompson	12/5/63	2	5
675	Birl Wilson	12/12/63	2	4
691	George W. Hutchison	12/10/63	1	6
694	Daniel W. Fults	12/11/63	1	6
696	Charles S. Harding	12/12/63	1	6
700	Henry F. Grady	12/10/63	1	6
703	Raymond J. Fox	12/5/63	1	6
731	John James O'Flaherty	12/13/63	1	6
732	John M. Kemmy	12/6/63	1	6
736	Lawrence M. Cooper	12/5/63	2	5
740	John James O'Flaherty	12/9/63	1	5
743	Dennis W. Shanahan	12/10/63	1	6
744	John James O'Flaherty	12/11/63	1	5
749	John M. Kemmy	12/9/63	1	6
752	Albert J. Rushing	12/6/63	2	4
753	"	12/10/63	3	4

ENCLOSURE 62 1010

754	Lionel E. Belanger	12/10/63	3	4
756	Edward F. McFadden	12/12/63	3	4
761	Leo E. Peprutty	12/2/63	1	7
767	John M. Kemmy	12/12/63	1	6
786	Grover C. Twiner	12/1/63	1	5
787	"	12/5/63	1	6
788	James F. Morrissey	12/9/63	1	6
790	John M. Kemmy	12/17/63	1	6
791	Stephan M. Callender	12/10/63	1	4
793	Raymond J. Fox	12/7/63	1	6
798	John James O'Flaherty	12/17/63	1	6
955	Stephan M. Callender	12/16/63	1	5
970	"	12/19/63	1	4
1079	Carl E. Graham	12/2/63	1	5
1098	Stephan M. Callender	12/24/63	1	5
1116	Henry A. Welke	12/3/63	2	4
1117	John James O'Flaherty	12/3/63	1	5
1120	J. Stanley Rutz	12/20/63	2	4
1121	John James O'Flaherty	12/20/63	2	5
1123	John M. Kemmy	12/23/63	1	6
1126	Raymond J. Fox	12/27/63	1	5
1129	John T. Reynolds	12/30/63	1	5
1169	Stephan M. Callender	12/12/63	1	5
1212	Robert P. Gemberling	12/23/63	1	3
1213	James J. O'Connor	12/31/63	1	6
1214	John James O'Flaherty	1/2/64	1	6
1233	John M. Kemmy	12/31/63	1	6
1238	Charles J. Wyland	1/6/64	1	6
1244	Henderson Hillin, Jr.	12/30/63	1	6
1329	Robert P. Gemberling	1/7/64	1	3
1375	John T. Reynolds	1/10/64	1	5
1446	"	1/20/64	1	5
1567	Robert P. Gemberling	1/22/64	1	3
1899	RET	2/7/64	5	17
1953	John T. Reynolds	2/13/64	1	5
2027	Robert P. Gemberling	2/11/64	1	3
2069	John James O'Flaherty	2/18/64	2	5
2098	Robert P. Gemberling	2/7/64	5	5
2101	RET	2/24/64	6	15
2102	RSC	2/19/64	2	15
2158	JEM	2/20/64	1	6
2462	John M. Kemmy	2/28/64	1	4
2463	James F. Morrissey	3/11/64	1	5

2576	John M. Kemmy	3/11/64	1	5
2579	Robert P. Gemberling	3/10/64		2
2585	RET	3/6/64	3	18
2606	James J. O'Connor	3/10/64	3	15
3103	"	4/4/64	1	4
3145	John M. Kemmy	4/10/64	1	5
3278	Stephan M. Callender	4/16/64	1	6
3302	Chester C. Orton	4/14/64	1	4
3439	SMC	4/3/64	1	6
3464	Robert P. Gemberling	4/15/64	1	4
3583	James F. Morrissey	4/29/64	1	4
3593	John M. Kemmy	4/30/64	1	1
3687	Edward P. Gazur	4/14/64	1 1/2	6
3899	Robert P. Gemberling	5/28/64	1	4
3909	RLL	5/18/64	1	1
4070	John M. Kemmy	6/1/64	1	4
4095	Stephan M. Callender	6/22/64	1	5
4112	James J. O'Connor	6/10/64	1	6
4245	James R. McCance	6/25/64	1	4
4354X	Robert P. Gemberling	7/2/64	1	4
4511	"	7/17/64	1	4
4584	"	8/5/64	2	4
4592	John M. Kemmy	7/24/64	5	2
4677	Robert P. Gemberling	8/10/64	1	4
4700	James F. Morrissey	8/21/64	1	6
4827	Robert P. Gemberling	9/19/64	1	4
4837	Stephan M. Callender	9/3/64	1	7
4981	"	9/23/64	2	6
4993	Harry H. Whidbee	9/25/64	2	4
5061	Robert P. Gemberling	10/8/64	1	6
5312	"	11/27/64	1	6
5375	"	1/15/65	1	6
5408	"	4/19/65	1	5
	TOTAL NUMBER OF EXCESS COPIES		45	593
	TOTAL EXTRA COPIES MAINTAINED			638

UNITED STATES GOVERNMENT

Memorandum

TO ACTING DIRECTOR, FBI (62-109060) DATE: 11/30/72

FROM: SAC, NORFOLK (89-17) (RUC)

SUBJECT:
ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY
11/22/63
DALLAS, TEXAS

(OO: DALLAS)

Enclosed herewith for the Bureau are 8 copies of an LHM. One copy of the LHM is being furnished to Dallas for information.

Two copies of the LHM are being furnished to Phoenix, and it is requested that one copy thereof be furnished to Secret Service, Phoenix.

Two copies of an FD-376 are attached for the Bureau and one copy for Phoenix.

The indices of the Norfolk Division contain no information identifiable with EDWARD JACK BRYANT or the complainant, GRACE YVONNE DECKER, aka.

No further action is contemplated concerning this matter by the Norfolk Division.

B51

EX-117

1 cc LHM to Secret Service
Hm 11/27 12-5-72
Copy kept in Norfolk

REC-14 62-109060-7069

(2) - Bureau (enc. - 8)
1 - Dallas (89-43) (enc. - 1) (info)
1 - Phoenix (enc. - 2) (info)
2 - Norfolk (1-66-820)

HAW:mlb
(5)

51 DEC 14 1972

UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to File No.

WASHINGTON, D.C. 20535

Norfolk, Virginia

November 30, 1972

Director
United States Secret Service
Department of the Treasury
Washington, D. C. 20220

RE: Assassination of President
John Fitzgerald Kennedy
November 22, 1963
Dallas, Texas

Dear Sir:

The information furnished herewith concerns an individual or organization believed to be covered by the agreement between the FBI and Secret Service concerning protective responsibilities, and to fall within the category or categories checked.

1. ☐ Threats or actions against persons protected by Secret Service.
2. ☐ Attempts or threats to redress grievances.
3. ☐ Threatening or abusive statement about U. S. or foreign official.
4. ☐ Participation in civil disturbances, anti-U. S. demonstrations or hostile incidents against foreign diplomatic establishments.
5. ☐ Illegal bombing, bomb-making or other terrorist activity.
6. ☐ Defector from U. S. or indicates desire to defect.
7. ☒ Potentially dangerous because of background, emotional instability or activity in groups engaged in activities inimical to U. S.

Photograph ☐ has been furnished ☐ enclosed ☒ is not available.

Very truly yours,

L. Patrick Gray III

L. Patrick Gray, III
Acting Director

1 - Special Agent in Charge (Enclosure(s)) (1)
U. S. Secret Service, Norfolk, Virginia
1 - U. S. Secret Service, Phoenix, Arizona (enc. - 1)
Enclosure(s) (1)

UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to File No.

Norfolk, Virginia

November 30, 1972

Assassination of President
John Fitzgerald Kennedy
November 22, 1963
Dallas, Texas

Re Edward Jack Bryant.

Under date of November 21, 1972, Mrs. Grace Y. Decker, 3125 Montana Avenue, Norfolk, Virginia, addressed a letter to the Norfolk Division of the Federal Bureau of Investigation. In the letter she claimed that Edward Jack Bryant, formerly of Yuma, Arizona, was a member of a group of conspirators who plotted to assassinate President Kennedy. She desired to be interviewed.

62-109060-1069

ENCLOSURE

1

Date 11/29/72

Mrs. GRACE YVONNE DECKER, 3125 Montana Avenue, Norfolk, Virginia, was contacted at her residence. The interviewing Agent identified himself as a representative of the Federal Bureau of Investigation, and her letter was orally acknowledged.

She related that during the summer of 1963, she was the housekeeper for EDWARD JACK BRYANT, who resided at an unrecalled address on Northwest 8th Avenue, Yuma, Arizona. She described BRYANT as a white male, then aged about 40, 5 feet 10 inches, 165 pounds, formerly in the United States Air Force, who at the time was a card dealer at the Lido (now Card Dot), located in Winterhaven, California. He subsequently went to work in the cantelcupe fields near Yuma.

While she was working for him, they engaged in conversation about President KENNEDY, about whom she expressed approval.

BRYANT asked her if she had ever heard of KARL MARX and then asked her, "Your boy, KENNEDY, is his word law?". She remarked that his word was law, and he thereupon became enraged, uttering obscenities toward KENNEDY. BRYANT claimed he, BRYANT, once forced a man to kneel down and he shot him in the head. He further claimed he had been run out of Venezuela for running guns.

Mrs. DECKER stated that over the years "people have read my mind", and she arrived at the assumption that BRYANT might have been involved in a conspiracy to assassinate President KENNEDY.

She wrote United States Marshal L. SERTELL, Chattanooga, Tennessee, in 1966 about her assumption, but he never responded. She stated that because her "mind was again being read" she decided to tell the Federal Bureau of Investigation about the matter at this time.

She explained that although BRYANT disliked

On 11/27/72 at Norfolk, Virginia File # NF 89-17

by SA HENRY A. WELKE:mlb Date dictated 11/28/72

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President KENNEDY, he made no specific threats against his life and his role, if any, in the assassination is just her assumption and her feelings are not based on facts.

Mrs. DECKER does not know BRYANT's present whereabouts and has not heard of him since about 1964. She could furnish no additional information concerning him.

Mrs. DECKER volunteered that she has travelled to many parts of the United States employed as a singer, housekeeper and waitress, including Yuma, Los Angeles, New Orleans, and the state of Florida. She has been treated for excessive use of narcotics. She is being divorced by her husband, WILLIAM DECKER, Norfolk, Virginia, who has custody of their five children. Her maiden name is GRACE YVONNE SMITH. In her various employments she has used the names JANE ALLEN and JANE MARIE SANDERS.

She further volunteered that she has had mental difficulty in the past, and she added that she thought that her information regarding BRYANT would be of value to the Federal Bureau of Investigation.

Assassination of President
John Fitzgerald Kennedy
November 22, 1963
Dallas, Texas

This document contains neither recommendations nor conclusions of the Federal Bureau of Investigation. It is the property of the Federal Bureau of Investigation and is loaned to your agency; it and its contents are not to be distributed outside your agency, nor duplicated within your agency.

FD-36 (Rev. 5-22-64)

FBI

Date: 12/8/72

Transmit the following in _____ (Type in plaintext or code)

Via AIRTEL _____ (Priority)

Mr. Tolson
Mr. Bishop
Mr. Baker
Mr. Callahan
Mr. Cleveland
Mr. Conrad
Mr. Felt
Mr. Gale
Mr. Jenkins
Mr. Marshall
Mr. Miller, E.S.
Mr. Purvis
Mr. Soyars
Mr. Walters
Tele. Room
Mr. Kinley
Mr. Armstrong
Mr. Farrell
Mrs. Bowman

TO: ACTING DIRECTOR, FBI (62-109060)

FROM: SAC, DALLAS (89-43)(P*)

SUBJECT: ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY
DALLAS, TEXAS
11/22/63
MISCELLANEOUS - INFORMATION CONCERNING

OO: DALLAS

Enclosed for the Bureau are three newspaper clippings described as follows:

(1) "The Dallas Morning News" of 11/16/72, captioned "Oswald's Effects Sought in Appeal".

(2) "The Dallas Times Herald" of 11/16/72, captioned "Appeal by Oswald's widow will be studied by court".

(3) "The Dallas Times Herald" of 11/22/72 captioned "Nightmare error flashes back".

ST-111 REC-72 62-109060-7070

The first two of the above described articles deal with an appeal to the Fifth U. S. Circuit Court of Appeals over the amount paid for certain personal effects of LEE HARVEY OSWALD to his widow.

10 DEC 28 1972

The third described article reflects the comments of DONALD WAYNE HOUSE who was detained on the afternoon of the assassination for interrogation concerning the assassination.

DEC 12 4 52 PM 1972
RECEIVED

The above articles are furnished the Bureau for information.

2 - ENCLOSURE
2 - Bureau (Enc.3)
1 - Dallas
RPG:lls
(5) DEC 19 1972

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

U.S.Government Printing Office: 1972 — 455-574

(Mount Clipping In Space Below)

Case Argued

Oswald's Effects Sought in Appeal

NEW ORLEANS (AP)—An attorney for the former wife of accused assassin Lee Harvey Oswald argued Wednesday that the government is trying to make her pay for Oswald's sins.

A federal appeals court here took under consideration how much Marina Oswald Porter should be paid for personal effects seized by the government.

A 3-judge panel of the 5th U.S. Circuit Court of Appeals heard oral arguments from the Justice Department and accepted written arguments from an attorney for Mrs. Porter.

The government has agreed to pay $3,000 for the items, but Mrs. Porter—remarried since her former husband was identified by the Warren Commission as the assassin of President John F. Kennedy—is seeking $17,729.37.

THE JUDGES must decide, they indicated in questions from the bench, whether Mrs. Porter should receive an amount based on the value of the items to collectors or merely their face value, plus an additional sum for the personal sentimental value they might have.

There is no challenge to the right of the government to confiscate and keep the items.

A federally appointed special master determined that $17,729.37 was the fair market value of the items, which consist mainly of such personal things as letters, a diary, family photographs, a marriage license and the contents of Oswald's wallet.

The $3,000 figure was arrived at through stipulation by both Mrs. Porter's attorney and the Justice Department as the fair amount for similar items not enhanced in value because of their worth to collectors.

"The circumstances of this case require that the elements of fair market value of the property involved here resulting from association of the property with the assassination of the President must be excluded from the measure of just compensation," a district judge in Texas said in a ruling appealed by Mrs. Porter.

A BRIEF by Erick F. Klein Jr. of Dallas said the public might be opposed to Mrs. Porter getting the larger award, but he "cannot appreciate or countenance the intrusion of such emotions, unconscious or otherwise" in court rulings in the matter.

Klein said this represents the second time Oswald has in effect been tried and convicted without evidence, but that, unlike the Warren Commission, government lawyers are going "even further and are attempting to visit the assumed and judically unproven 'sins of the father' upon his widow and children."

63 - 1017 - 1070

(Indicate page, name of newspaper, city and state.)

"The Dallas Morning News", Dallas, Texas

Page 7D

Date: 11-16-72

Edition:

Author:

Editor: JACK B. KRUGER

Title:

Character:

or

Classification:

Submitting Office: DALLAS

☐ Being Investigated

(Mount Clipping in Space Below)

Appeal by Oswald's widow will be studied by court

NEW ORLEANS (UPI) — A federal appeals court has taken under advisement arguments that the government owes presidential assassin Lee Harvey Oswald's widow $500,000 for seizing some of her husband's personal effects.

Attorneys for Marina N. Oswald Porter argued in a closed-door session of the 5th U.S. Circuit Court of Appeals Wednesday the $3,000 granted their client by a federal district court in Dallas was not enough.

They asked the circuit court to throw out the lower court's decision and award Mrs. Porter $500,000 in compensation for the property she claimed the government reduced the value of by damaging it and by publishing Oswald's diary and other documents which appeared in the Warren Commission report.

The Texas court had declared the $3,000 sufficient to cover the value of the 500 articles taken by the government in its investigation of the assassination of President John F. Kennedy.

Congress later passed a special act to preserve the items taken from Oswald's home so the evidence would not be lost, stolen or destroyed.

The property mostly comprised personal effects such as letters, the diary he kept in Russia, family photographs, his marriage license and other documents.

In the brief filed by her attorneys, Mrs. Porter claimed the Texas court's ruling in the case was "the second time the government has accused, tried and convicted Lee Harvey Oswald of a crime without evidence."

"In this instance, however, they have gone even further and are attempting to visit the assumed and judicially unproven sins of the father upon his widow and children," the brief continued.

Mrs. Porter claimed again in the suit that her husband was neither an assassin, a murderer, a criminal, nor wrongdoer of any kind."

A spokesman for the circuit court said a decision by the court could be expected some time next week.

6-3-75 LOCO - 7010

(Indicate page, name of newspaper, city and state.)

"The Dallas Times Herald", Dallas, Texas

Page B-11

Date: 11-16-72

Edition:

Author:

Editor: Felix R. McKnight

Title:

Character:

or

Classification:

Submitting Office:

☐ Being Investigated

(Mount Clipping in Space Below)

Oswald look-alike jailed

Nightmare error flashes back

By JOHN MOULDER
Staff Writer

Donald Wayne House wasn't even aware of the date when a fellow worker nudged him.

"You got one more day to go," the buddy said.

House didn't understand.

"Tomorrow was the day you got arrested for killing the President."

Suddenly everything flashed back, things he thought he had forgotten.

The date was another Nov. 22, nine years ago Wednesday.

Policemen carrying shotguns led House through a growing mob of people, mostly newsmen, into the Fort Worth city jail. House wore handcuffs.

TV networks told the world a suspect had been arrested in the assassination of President John F. Kennedy.

He became a footnote in history because of a confused set of circumstances on a confused day. And because he was a look-alike for Lee Harvey Oswald.

House doesn't worry about it any more.

"I had forgotten about it," he said. "I only get reminded of it when somebody pops off as they did today."

He'll remember it in House's hometown of Ranger because that's where

(Indicate page, name of newspaper, city and state.)

"The Dallas Times Herald", Dallas, Texas

Page 1-A

Date: 11-22-72
Edition:
Author:
Editor: Felix R. McKnight
Title:

Character:
or
Classification:
Submitting Office:

☐ Being Investigated

6 [illegible] 7079

he lived on Nov. 22, 1963 and that's where he lives now. And when they kid him about it, it's good-naturedly.

House, now 31, is married and the father of two children—Donna, 7, and Randy, 4.

He is a maintenance man now for the Texas Highway Department, working out of THD's Eastland office. He was working on the West Texas highways in the current storm when co-workers reminded him Tuesday of the assassination day.

The weather was bad in Ranger nine years ago. House had a day off from his construction job. He decided to drive to Fort Worth to visit a cousin.

He didn't even know President Kennedy was visiting in Fort Worth and Dallas. When he got to Fort Worth, he decided to drive to Dallas to visit with an Army buddy.

When he got to Dallas, he heard Kennedy was in town. He waited with the crowd to get a glimpse of the President, whom he had long admired. The motorcade passed. House got into his auto and started toward Fort Worth.

He heard sirens and was curious. He turned on his car radio and heard the flash: "President Kennedy and Governor Connally have been shot!"

He drove on toward Fort Worth and

stopped at a Grand Prairie service station for gas. Two women at the station also had heard the news flash. They asked House if he knew anything about it.

House had heard a description broadcast of a man sought in the assassination. He gave the description to the women. He wasn't aware the description fit himself—as well as Lee Harvey Oswald.

One of the women telephoned police.

Minutes later he saw a flashing red light of a patrol car and pulled over on Riverside Drive in Fort Worth. He thought he had committed a traffic violation.

The policemen ordered him out of the car, made him put his hands against the car. The officers searched him. He looked around. Policemen were pointing shotguns at him.

Then his world flip-flopped.

"You're being arrested for the assassination of President Kennedy," the policeman said.

They took him to the police station. They began interrogating him. "I didn't do it; I didn't do it," House repeated.

They grilled him for three hours, then put him in a cell for an hour.

Finally a turnkey came to his cell and said:

"They've caught another boy. His name is Lee Harvey Oswald. They're pretty sure he did it."

The jail door opened for Donald Wayne House.

The reporter crowd had thinned as he left the police station.

But a jail matron ran up to him, hugged his neck and kissed him.

"I'm glad you didn't do it," she said.

And there were no hard feelings on House's part.

"I was facing the nation there for a while," he mused.

He moved to Strawn in Palo Pinto County and worked hauling dynamite after the incident. Later he moved to Dallas for six months. Then he returned to his hometown of Ranger. He went to work for the Texas Highway Department seven years ago.

"It's all over," House says about his being arrested for the death of the President he admired.

"I wish it hadn't happened," he said, "but it did."

But House said he'd like to get a few things off his chest.

"I think things are pretty bad when people can't go out in political campaigns without getting gunned down," he said. "It's wrong for a politician to have to go out into the public eye and be scared.

"It's a free country and it should be that way.

"My opinion is that there should be stiffer laws. There were bad court rulings when they took the guns away from the police and gave the guns to the criminals."

FD-36 (Rev. 5-22-64)

FBI

Date: 1/31/73

Transmit the following in _____ (Type in plaintext or code)

Via AIRTEL _____ (Priority)

Mr. Felt
Mr. Baker
Mr. Callahan
Mr. Cleveland
Mr. Conrad
Mr. Dell
Mr. Gi[illegible]
Mr. Je[illegible]
Mr. Pe[illegible]
Mr. T[illegible]
Mr. [illegible]
Mr. Sowers
Mr. W[illegible]
Tele. Room
Mr. Finley
Mr. Armstrong
Ms. Herwig
Mrs. Neenan

TO: ACTING DIRECTOR, FBI (62-109060)

FROM: SAC, DALLAS (89-43)(P*)

SUBJECT: ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY
DALLAS, TEXAS
1/22/63
MISCELLANEOUS - INFORMATION CONCERNING

OO: DALLAS

Enclosed for the Bureau are two newspaper clippings described as follows:

(1) "The Dallas Morning News" of 1/22/73 captioned "Old Depository Is Reconsidered".

(2) "The Dallas Times Herald" of 1/22/73 captioned "U. S. may operate book depository".

The above newspaper clippings reflect the Texas School Book Depository Building is being considered as a possible historical site to be operated by the Federal Government in view of the fact this is the building from which LEE HARVEY OSWALD allegedly fired the shots that killed President JOHN FITZGERALD KENNEDY on 11/22/63 at Dallas, Texas.

The above articles are furnished for the Bureau's information.

REC-76 62-109060-7071

Mc EX-116

ENCLOSURE 2

(2) - Bureau (Enc.2)
1 - Dallas
RPG:jls
(3)

FEB 1 11 35 AM '73

17 FEB 2 1973

53 FEB 8 1973

Approved: _____ Sent _____ M
Special Agent in Charge

USG

(Mount Clipping in Space Below)

U.S. may operate book depository

The Texas School Book Depository Building, focal point of visitors and target of controversy, is expected to be considered in Febrary by the Texas historical review committee for addition to the national registry of historical places.

If so, the building from which Lee Harvey Oswald allegedly shot President John F. Kennedy in 1963 could be taken over by the National Park Service for operation and maintenance.

A similar requiest was turned down last year by the committee when the building was owned by Aubreay Mayhew. But Mayhew defaulted on loan payments and the site was returned to the previous owner, D. Harold Byrd of Dallas.

The Dallas City Council asked for the historical committee's consideration of the site last September but the committee voted it down and the city refused to appropriate any funds to improve the site.

Truett Latimer, executive director of the state Historical Survey Committee, said the recent request was submitted by "someone in the Dallas city manager's office."

If the request is approved by the state historical committee, an advisory body headed by University of Texas professor Drury B. Alexander, then Latimer would recommend it to the National Park Service.

Should the proposal be accepted by the National Park Service, it would then go the Secretary of Interior.

(Indicate page, name of newspaper, city and state.)

"The Dallas Times Herald", Dallas, Texas

Page A-9

Date: 1-22-73

Edition:

Author:

Editor: Felix R. McKnight

Title:

Character:

or

Classification:

Submitting Office:

☐ Being Investigated

SEARCHED ... INDEXED
SERIALIZED ... FILED
JAN 22 1973
FBI — DALLAS

62-109060-7071

ENCLOSURE

(Mount Clipping in Space Below)

Historical Site

Old Depository Is Reconsidered

By MICHAEL FRESQUES

A state historical committee will reconsider adding the former Texas School Book Depository building to the national registry of historical places next month, The Dallas News learned Sunday.

The committee turned down the building's application a year ago when the site was owned by Aubrey Mayhew. However, Mayhew lost the building last summer when he failed to make the loan payments and the depository reverted to the original owner, Dallas oilman D. Harold Byrd.

The City of Dallas recently resubmitted the application.

Blake Alexander, chairman of the review committee, said Sunday, "I think a lot would depend on how the building was to be used. Before, it was much too commercial a venture."

The building from which Lee Harvey Oswald allegedly fired the shots that killed President John F. Kennedy in 1963 has been suggested as a site for a national museum on one extreme and being torn down on another.

The state historical review committee, if it approves the site, would forward the request to the national registry which usually approves state requests.

The City Council last September voted to seek the recognition for the building but declined to vote any city money to preserve it.

If the building does gain status as a national site, application can be made for the National Park Service to take over maintenance and possible improvements.

The National Park Service recommends historical site designations to the Secretary of the Interior's advisory board. And if the advisory board approves, the request goes to the Secretary of the Interior.

If the secretary approves, the proposal goes to Congress which has the final say.

Alexander said very few applications are even approved on the National Park Service level.

"If the National Park Service would maintain it, it might be reasonable to keep it, in what you might say, good taste."

(Indicate page, name of newspaper, city and state.)

"The Dallas Morning News, Dallas, Texas"

Page 1-A

Date: 1-22-73

Edition:

Author:

Editor: Jack B. Kruger

Title:

Character:

or

Classification:

Submitting Office: Dallas

☐ Being Investigated

62-109060-70 11

ENCLOSURE

Airtel

2/12/73

To: SAC, Washington Field 1 - Mr. Arendt

From: Acting Director, FBI 62-

ASSASSINATION OF JOHN FITZGERALD KENNEDY
DALLAS, TEXAS
11/22/63
OO: DL

Enclosed for Washington Field, Dallas and Boston is one self-explanatory letter directed to Senator Biden from Allen R. King, Newton, Massachusetts. King cannot be identified in FBI indices.

On 2/12/73, Chazy Dovalaby, Senator Biden's Office, telephonically advised FBIHQ that King had just visited the Senator's Office and had a 23-second home type movie concerning the assassination and which he thought the Senator should see. The Senator was unavailable; however, King said he would be in Washington, D. C., for 2 weeks and would be staying at 1615 21st Street N. W., telephone 265-4017.

Washington Field contact Allen concerning captioned matter.

Enclosure
1 - Dallas (Information) (Enclosure)
1 - Boston (Information) (Enclosure)

REC-64

62-109060-707

HWA:klp
(6)

ENCLOSURE

MAILED 10
FEB 12 1973
FBI

FEB 13 1973

Mr. Felt
Mr. Baker
Mr. Callahan
Mr. Cleveland
Mr. Conrad
Mr. Gebhardt
Mr. Jenkins
Mr. Marshall
Mr. Miller, E.S.
Mr. Purvis
Mr. Soyars
Mr. Walters
Mr. Room
Mr. Kinley
Mr. Armstrong
Mr. Bowers
Mr. Herington
Mr. Herwig
Mr. Mintz
Mr. Neenan

MAIL ROOM ☐ TELETYPE UNIT ☐

have evidence that will positively destroy the fiction of Lee Harvey Oswald, lone assassin - a fiction foisted on the nation to conceal the truth and protect the real murderers - the warfare state that exists within the government. So long as these murderers remain at large, truth and justice in this country are nothing more than grotesque mockeries of reality, malleable instruments to maintain the power of the superstate.

Corrupted elements of the government distorted the facts, destroyed vital evidence, and tried to discredit those who contradicted the official version of the assassination. Two conspiracies were at work in the president's death. The first conspiracy killed the president and the second conspiracy attempted to cover up the existence of the first.

You have the power to help expose the true meaning of these political assassinations and punish those responsible. I will be in Washington the second week of February and would like very much for you to see the evidence. I realize you must be skeptical, but I assure you the evidence is indisputable. The problem is getting people to listen. I urge you or your staff to just look at the evidence. I look forward to hearing from you sometime before February 7 and I am,

sincerely yours,

William R. King

William R. King
57 Ridge Avenue
Newton, Massachusetts
02159

phone: (617) 244-2046

MARY FERRELL

February 6, 1973

Mr. L. Patrick Grey
Director, Federal
Bureau of Investigation
Washington, D.C.
20535

Dear Mr. Grey,

On July 6, 1972, I wrote to you to inquire about the destruction of films taken at the autopsy of President John F. Kennedy on November 22, 1963, at Bethesda Naval Medical Center.

I appreciated your prompt reply of July 17, 1972 to my questions.

On February 5, 1973, I received a recently de-classified report from the National Archives which seems to clear up the question of which agency was involved in the destruction of autopsy films.

Enclosed for your information is a copy of my correspondence with the Secret Service regarding this matter. I will keep you informed when I receive a reply.

Sincerely

Fred T. Newcomb

4640 Noble Avenue
Sherman Oaks, California
91403

Enclosures
1 - two page letter
1 - one page letter
1 - page #11 of an 11 page report entitled:
Report of Inspection by Naval Medical Staff
on November 1, 1966 at National Archives
of X-Rays and Photographs of Autopsy of
President John F. Kennedy.

62-109060-7073

REC-32

16

1973

ENCLOSURE

JOHRE

EVIDENCE

#18

In light of this report and the reply by Mr. Warner from your office to my letter of July 6, 1972, it would seem that a serious conflict has occurred in this matter.

I cannot imagine a circumstance, in an autopsy of this importance, where it would become necessary to destroy films, since, in some cases, blank, unexposed film on hand at this autopsy was saved and catalogued.

In this regard, I have reason to believe that a request to destroy film at this autopsy would not have come from the family of the late President.

May I hear from you at your earliest convenience regarding this apparent conflict of the record.

Sincerely,

Fred T. Newcomb

FTN:mkn
Enclosures (2)

4640 Noble Avenue
Sherman Oaks, California
91403

February 6, 1973

THE DEPARTMENT OF THE TREASURY

UNITED STATES SECRET SERVICE

OFFICE OF THE DIRECTOR

WASHINGTON, D.C. 20226

July 21, 1972

Mr. Fred T. Newcomb
4640 Noble Avenue
Sherman Oaks, California 91403

Dear Mr. Newcomb:

This is a reply to your letter of July 6, 1972, concerning alleged destruction of film by a Secret Service Agent.

The fact that Secret Service agents were present at the autopsy of the late President John F. Kennedy is factual as reported by the Warren Commission. However, no film or other item related to this incident was destroyed by any member of the Secret Service. All items in the possession of the Secret Service pertaining to the assassination were turned over to the members of The President's Commission on the Assassination of President Kennedy.

We appreciate your interest in this matter.

Sincerely,

John W. Warner, Jr.
Assistant to the Director

62-[illegible]-7071

(4) One roll of 120 film (processed but showing no recognizable image) which we recall was seized by Secret Service agents from a Navy medical corpsman whose name is not known to us during the autopsy and immediately exposed to the light. This item is numbered as item 4 in Appendix B to the letter dated October 29, 1966 referred to above.

Upon completion of our examination, identification, marking, arrangement and listing of all of these photographic materials as described above, we left these materials with Dr. Rhoads. The X-rays and photographs described and listed above include all the X-rays and photographs taken by us during the autopsy, and we have no reason to believe that any other photographs or X-rays were made during the autopsy..

James J. Humes — Nov. 10, 1966
James J. Humes, Captain, M.C., USN — date

J. Thornton Boswell — Nov 10, 1966
J. Thornton Boswell, M. D., Cdr. MC. USN (Ret.) — date

John H. Ebersole — Nov. 10, 1966
John H. Ebersole, Captain, M.C., USN — date

John T. Stringer — 10 Nov 1966
John T. Stringer, Photographer, Naval Medical Center, Bethesda, Maryland — date

February 15, 1973

EX-105

REC-32
62-109060-7073

Mr. Fred T. Newcomb
4640 Noble Avenue
Sherman Oaks, California 91403

Dear Mr. Newcomb:

This is to acknowledge your communication of February 6th. The interest which prompted you to bring this information to my attention is appreciated.

Sincerely yours,

L. Patrick Gray III

L. Patrick Gray, III
Acting Director

MAILED 5
FEB 15 1973
FBI

NOTE: Correspondent encloses material pertaining to his inquiry regarding the alleged destruction of films taken at the autopsy of President John F. Kennedy on 11-22-63 at Bethesda Naval Hospital and consists of a reply from U. S. Secret Service denying that any film was destroyed by them, a statement alleging certain films were seized by Secret Service Agents and exposed to the light and a letter from Newcomb to Director Rowley of the U. S. Secret Service regarding this apparent conflict. By letter 7-17-72 we advised that FBI Agents present at the autopsy never had in their possession any film and have no knowledge of any film having been destroyed.

JWD:ljl (3)

FEB 12

FEB 26 1973

TELETYPE UNIT

Mr. Gebhardt

2/21/73

1 - Mrs. Neenan
1 - Mr. Kinley
1 - Mr. Gebhardt
1 - J. W. Brown
1 - Tour Room (Info)
1 - 62-109060

J. W. Brown

MIKE PANAS
NEW YORK, NEW YORK
REQUEST TO TALK TO MR. GRAY
RE: PRESIDENT KENNEDY ASSASSINATION
NO DATE GIVEN

BACKGROUND:

By registered letter dated 2/10/73, captioned individual, 625 East Ninth Street, New York, New York 10009, advises he knows the person who killed President John F. Kennedy. He claims having been to Washington, D. C., four times and FBI Agents denied him appointments. He requests an appointment to talk with Mr. Gray.

INFORMATION IN BUFILES:

On 5/8/67, one Michael Panas, same New York address, date and place of birth 7/13/17 at Bezbrady, Poland, appeared at the New York Office and said the upstairs apartment tenant had gone to Russia in July, 1963, met Lee Harvey Oswald, and heard that Oswald was to get $500,000 to kill President Kennedy. (Oswald left Russia in June, 1962, and took up residence in Fort Worth, Texas.) In the 1967 interview, Mr. Panas indicated the tenant planned to kidnap his daughter during her trip to Germany. The captioned individual also stated he (Panas) tried to commit suicide in February, 1959, by shooting himself in the head. He further admitted being in an unknown mental institution for six months with continuing treatments while still in a highly excitable and very nervous condition during the interview. U. S. Secret Service advised of Mr. Panas, LHM disseminated, and FBIHQ required no further action in this matter.

RECOMMENDATION:

That no appointment with Mr. Gray or acknowledgment of letter be extended to captioned individual.

62-109060

EJK:ysc (10)

54 FEB 23 1973

NOT RECORDED
191 FEB 23 1973

FD-36 (Rev. 5-22-64)

FBI

Date: 2/21/73

Transmit the following in _____ (Type in plaintext or code)

Via AIRTEL _____ (Priority)

TO: ACTING DIRECTOR, FBI

FROM: SAC, WFO (89-75) (RUC)

ASSASSINATION OF JOHN FITZGERALD KENNEDY
DALLAS, TEXAS
11/22/63
(OO:DL)

Re Bureau airtel to WFO dated 2/12/73.

On 2/13/73 SA JOHN A. RUHL attempted to contact ALLEN R. KING through the telephone number given 265-4017. He was not available.

On 2/16/73 KING called to advise that he would not show instant picture to the FBI. In his conversation KING indicated that he had done an exhaustive analysis of the Warren Committee Report and concluded that this Committee as well as the FBI had made errors in their findings. It is his conviction that KENNEDY was the victim of a conspiracy among four assasins. He mentioned as proof that a street sign which appeared in certain pictures taken at the scene of the accident was not evident on subsequent pictures.

WFO contemplates making no further efforts to contact KING.

EX-117

REC-3 62-109060-707

7 FEB 21 1973

(2) Bureau
1-WFO

JAR:jp
(3)

59 FEB 26 1973

Approved: _____ Special Agent in Charge

Sent _____ M Per _____

BEFORE CR. REP.

*U.S. Government Printing Office: 1972 — 455-574

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Gebhardt

DATE: 2/21/73

FROM : J. W. Brown

1 - Mrs. Neenan
1 - Mr. Kinley
1 - Mr. Gebhardt
1 - J. W. Brown
1 - Tour Room (Info)
1 - 62-109060

SUBJECT: MIKE PANAS
NEW YORK, NEW YORK
REQUEST TO TALK TO MR. GRAY
RE: PRESIDENT KENNEDY ASSASSINATION
NO DATE GIVEN

Mr. Felt
Mr. Baker
Mr. Callahan
Mr. Cleveland
Mr. Conrad
Mr. Gebhardt
Mr. Jenkins
Mr. Marshall
Mr. Miller, E.S.
Mr. Purvis
Mr. Soyars
Mr. Walters
Tele. Room
Mr. Kinley
Mr. Armstrong
Mr. Bowers
Mr. Herington
Ms. Herwig
Mr. Mintz
Mrs. Neenan

BACKGROUND:

By registered letter dated 2/10/73, captioned individual, 625 East Ninth Street, New York, New York 10009, advises he knows the person who killed President John F. Kennedy. He claims having been to Washington, D. C., four times and FBI Agents denied him appointments. He requests an appointment to talk with Mr. Gray.

INFORMATION IN BUFILES:

On 5/8/67, one Michael Panas, same New York address, date and place of birth 7/13/17 at Bezbrudy, Poland, appeared at the New York Office and said the upstairs apartment tenant had gone to Russia in July, 1963, met Lee Harvey Oswald, and heard that Oswald was to get $500,000 to kill President Kennedy. (Oswald left Russia in June, 1962, and took up residence in Fort Worth, Texas.) In the 1967 interview, Mr. Panas indicated the tenant planned to kidnap his daughter during her trip to Germany. The captioned individual also stated he (Panas) tried to commit suicide in February, 1959, by shooting himself in the head. He further admitted being in an unknown mental institution for six months with continuing treatments while still in a highly excitable and very nervous condition during the interview. U. S. Secret Service advised of Mr. Panas, LHM disseminated, and FBIHQ required no further action in this matter.

RECOMMENDATION:

That no appointment with Mr. Gray or acknowledgment of letter be extended to captioned individual.

REC-71 62-109060-7075

EJK:ysc (10)

ST-115

15 FEB 22 1973

55MAR6 1973

Mike Panas
625 East 9 Street
New York, N.Y.10009

Feb. 10th, 1973

Mr. Patrick Gray
FBI Headquaters
Washington, D.C.

Dear Sir;

I Mike Panas know who is the person that killed President John F. Kennedy. I had been to Washington four times and FBI agents did not want to give me an appoinment.

I would like to have an appointment with you so we could talk.

Respectfuly yours
Mike Panas

Mike Panas

REC-10 62-109060-7076
EX-103

5 FEB 22 1973

CORRESPONDENCE

55MAR6 1973

FD-36 (Rev. 5-22-64)

FBI

Date: 2/26/73

Transmit the following in _____
(Type in plaintext or code)

Via AIRTEL AIR MAIL
(Priority)

TO: ACTING DIRECTOR, FBI (62-109060)

FROM: SAC, NEW ORLEANS (89-69) (P)

SUBJECT: ASSASSINATION OF
PRESIDENT JOHN FITZGERALD KENNEDY,
DALLAS, TEXAS,
11/23/63
MISC. - INFO CONCERNING
(OO: DALLAS)

Enclosed for the Bureau are original and five copies of a self-explanatory LHM.

One copy of instant LHM is being furnished to Dallas for information purposes.

1-Tickler
1 cc Personal Hate Racial (Criminal) Rt 0-6
AH: Carl Belcher
Room 2113
HWP/gg 3-2-73
All info checked

ST-105

REC-2 62-109060-7077

ENCLOSURE

(2) - Bureau (Encs. 6)
1 - Dallas (89-43) (Enc. 1) (Info)
2 - New Orleans
SMC:pd
(5)

21 MAR 1 1973

SIX

5 9 MAR 13 1973

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

U.S.Government Printing Office: 1972 — 455-574

U. S. DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to File No.

New Orleans, Louisiana
February 26, 1973

ASSASSINATION OF
PRESIDENT JOHN FITZGERALD KENNEDY,
DALLAS, TEXAS, NOVEMBER 22, 1963

Reference is made to a memorandum of the New Orleans Office of the Federal Bureau of Investigation (FBI) dated January 15, 1969, captioned as above.

Referenced memorandum set forth the results of information furnished by Layton Martens, 718 Frenchmen Street, New Orleans, Louisiana, on January 14, 1969. At that time Martens indicated that he might be called as a defense witness for Clay Shaw at Shaw's forthcoming trial. Martens expressed hesitancy in testifying in view of possible prosecution cross-examination concerning the details of Central Intelligence Agency (CIA) affiliation with the Cuban Revolutionary Front (FCR) in 1961 and the late Attorney General Robert Kennedy's involvement with FCR.

On February 26, 1973, Layton Martens, now residing at 1161 Lake Avenue, Metairie, Louisiana, telephone 837-5995, again appeared at the New Orleans Office of the FBI, at which time he provided the following information:

Martens stated that during Orleans Parish District Attorney Jim Garrison's investigation of captioned matter Martens had been subpoenaed to testify before the Orleans Parish Grand Jury. As a result, he subsequently had been indicted for perjury.

Martens stated he currently operates Edwards Pipe and Tobacco Shop, 3000 Severn Avenue, Metairie, Louisiana, telephone 887-5483.

ENCLOSURE

62-109060-1077

ASSASSINATION OF
PRESIDENT JOHN FITZGERALD KENNEDY,
DALLAS, TEXAS, NOVEMBER 22, 1963

A few days ago the owner of the building in which Martens operates his business told Martens that two men had contacted him. He related to Martens that these two men asked many questions as to whether Martens associated with Cubans, belonged to any Cuban organizations, and whether any Cubans ever visited Martens' place of business. They also exhibited an old photograph of Martens to the owner of the building and indicated they were associated with a law enforcement agency, however, did not specifically identify the agency for which they worked.

Martens related he believes these two men may have been from the Office of Orleans Parish District Attorney Jim Garrison, although he could furnish no specific information that they were. Martens stated he believes this because as far as he knows the old perjury charge against him is still outstanding and he believes that District Attorney Garrison may be considering prosecuting him and several others previously indicted for perjury as a "smoke screen" to take some of the heat off of Garrison as Garrison is under Federal indictment for allegedly accepting kickbacks from local pinball operators and is scheduled for trial in Federal court in New Orleans in the near future.

Martens stated that after the ill-fated Bay of Pigs invasion in 1961 he was personally working on plans for a second invasion. He claimed he was personally working for the late Attorney General Robert F. Kennedy and that subsequently the plans for this second invasion were dropped.

Martens claimed that during the Garrison investigation into the shooting of President Kennedy and subsequent Grand Jury hearings held in New Orleans, he had been requested by the then Attorney General Ramsey Clark to leave Louisiana and come to Washington, D. C., so that Martens would not be subpoenaed and, therefore, would not have to testify as to his knowledge of Cuban invasion plans.

Martens stated he declined Clark's offer.

Martens stated that his purpose in contacting the FBI at this time was that he wanted the United States Department of Justice to be aware of his suspicion of possible prosecution for perjury by Garrison. He stated that he knew the FBI could not offer him any guidance as to his possible testimony but that he wanted to seek guidance of the Department of Justice in the event he should be prosecuted. This guidance would be as to what he should or should not testify to in regards to his dealings with the late Attorney General Kennedy and subsequent discontinuing of plans for a second invasion of Cuba. He said such testimony would lend credence to District Attorney Garrison's contention that anti-Castro elements were responsible for the assassination of President Kennedy.

Martens was advised that the information he had supplied would be provided to the Department of Justice, and that the FBI had no comment to make.

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency, nor duplicated within your agency.

The Acting Director 3/5/73

Legal Counsel

ROBERT P. SMITH v. DEPARTMENT OF JUSTICE
U.S.D.C. D.C. CIVIL ACTION NO. 1840-72

On February 26, 1973, Mr. Jeffrey Axelrad of the Civil Division called Inspector John A. Mintz and requested an affidavit be prepared which establishes that a search of our files failed to locate one item sought by plaintiff in this suit.

By way of background, the plaintiff, Robert P. Smith, made a request under the Freedom of Information Act on April 11, 1972, for copies of certain material contained in the file on the assassination of President Kennedy. One item sought by Smith was an advertisement described on page 40 of Warren Commission Document, No. 206, which is the report of SA Robert P. Gemberling dated January 7, 1964, at Dallas. Page 40 of the report states that among Oswald's personal effects examined after his arrest "...there was noted an advertisement out of an unidentified publication in which Mershon Company, 1220 South Grand Avenue, Dept. GA-10, Los Angeles, California, advertised Mershon Custom Walnut Grips for hand guns. The advertisement contained the date 'October, 1959' in longhand at the bottom." There is no indication that this advertisement was ever in the possession of the Bureau.

The Kennedy files both in Dallas and at Headquarters have been searched in an attempt to locate this advertisement with negative results.

The Department was advised by letter dated 8/31/72 of the results of our search for the Mershon advertisement. Now that Smith has filed suit to obtain access to our files, the Department in defense of the suit requests that the information concerning our negative search be put in a form of an affidavit.

62-109060

Enclosure
1 - Mr. Gebhardt
- Mr. Mintz

1 - Mr. Dennis
52 40 attached

MAR 14 1973

RCD:fal
(5)

CONTINUED - OVER

1 8 MAR 66-109060

Memorandum Legal Counsel to Acting Director
Re: Robert P. Smith v. Department of Justice

Attached is a proposed letter to the Department enclosing the requested affidavit.

RECOMMENDATIONS:

1. That the affidavit be reviewed by Supervisor Howard W. Arendt, General Investigative Division, and if correct, be executed by him before a notary public.

2. That the letter to the Department be approved and sent.

FD-36 (Rev. 5-22-64)

FBI

Date: 3/6/73

Transmit the following in _____ (Type in plaintext or code)

Via AIRTEL _____ (Priority)

Mr. Baker	
Mr. Callahan	
Mr. Cleveland	
Mr. Conrad	
Mr. Gebhardt	
Mr. Jenkins	
Mr. Marshall	
Mr. Miller, E.S.	
Mr. Soyars	
Mr. Thompson	
Mr. Wolfers	
Tele. Room	
Mr. Kinley	
Mr. Armstrong	
Mr. Bowers	
Mrs. Herington	
Ms. Herwig	
Mr. Mintz	
Mrs. Neenan	

TO: ACTING DIRECTOR, FBI (62-109060)

FROM: SAC, DALLAS (100-10461)(C)

SUBJECT: ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY
11/22/63
DALLAS, TEXAS
MISCELLANEOUS - INFORMATION CONCERNING

OO: DALLAS

Enclosed for the Bureau are two newspaper clippings described as follows:

(1) "The Dallas Morning News", Dallas, Texas, dated 2/27/73 captioned "Court Gives $17,729 To Oswald's Widow"

(2) "The Dallas Times Herald", Dallas, Texas, 2/27/73 captioned "Court hikes price for Oswald items"

REC-5 62-109060-7078

The above articles refer to the ruling of the Fifth U. S. Circuit Court of Appeals in connection with the amount to be paid MARINA OSWALD for the personal effects of LEE HARVEY OSWALD, seized during the assassination investigation. This Fifth U. S. Circuit Court of Appeals decision reverses a Texas Federal District Court finding which indicated only $3,000 was to be paid MARINA OSWALD.

The above is for the information of the Bureau.

MAR 9 1973

ENCLOSURE 2

2 - Bureau
1 - Dallas
RPG:jls
(3)

7 MAR 16 1973

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

U.S.Government Printing Office: 1972 — 455-574

(Mount Clipping in Space Below)

Court Gives $17,729 To Oswald's Widow

NEW ORLEANS (UPI) — A federal appeals court awarded $17,729 Monday to the widow of Lee Harvey Oswald for property seized during the FBI's investigation of the assassination of President John F. Kennedy.

The 5th U.S. Circuit Court of Appeals reversed a Texas federal district court finding that Marina Oswald Porter was entitled to only $3,000 — the stipulated market value of property similar to that seized.

The items taken by the government for use in the compilation of the Warren Commission Report consisted mainly of Oswald's personal effects such as letters, a diary, family photographs, a marriage license and other personal effects.

The appeals court said it agreed with Mrs. Porter's claim that the items taken by the government had souvenir or collector's value and that in order to properly compensate for her loss, she should receive the fair market value of such collector's items.

"We note that were it not for the government's exercise of its power of eminent domain here," said the court, "Oswald's widow would have been able to realize through sales to the public, the collector's value of the items in question."

The circuit said it was also significant that "there was a viable market, albeit a collector's market, for the items for which Mrs. Porter seeks compensation."

The government argued that the enhanced value of the property attributable to its association with the assassination of the President should not, in fairness, be awarded to the wrongdoer's survivor.

(Indicate page, name of newspaper, city and state.)

"The Dallas Morning News, Dallas, Texas"

Page 14A

Date: 2-27-73

Edition:

Author:

Editor: Jack B. Kruger

Title:

Character:

or

Classification:

Submitting Office: Dallas

Being Investigated

62-109060

7078

(Mount Clipping in Space Below)

Court hikes price for Oswald items

NEW ORLEANS (UPI)—The government must pay the widow of Lee Harvey Oswald $17,729 for personal property seized by the FBI during the investigation of the assassination of President John F. Kennedy, the 5th U.S. Circuit Court of Appeals ruled Monday.

The court agreed with Marina Oswald Porter that she should receive collector's value prices for the letters, photographs, diary, wallet and other personal effects confiscated.

The ruling overturned a 1970 U.S. district court decision that had awarded Mrs. Porter only $3,000 for the items, which were used in the investigation and afterward placed permanently in the U.S. Archives in Washington.

"Were it not for the government's exercise of its power of eminent domain here, Oswald's widow would have been able to realize, through sales to the public, the collector's value of the items in question," the circuit court said.

The Russian-born Mrs. Porter, 32, who lives in Richardson, Texas, with the attorney she married in 1965, originally asked for nearly $500,000 compensation.

(Indicate page, name of newspaper, city and state.)

"The Dallas Times Herald", Dallas, Texas

Page 10 A

Date: 2-27-73

Edition:

Author:

Editor: Felix R. McKnight

Title:

Character:

or

Classification:

Submitting Office:

☐ Being Investigated

62-109060-7018

Assistant Attorney General
Civil Division

March 6, 1973

Acting Director, FBI

1 - Mr. Gebhardt
1 - Mr. Mintz (2)
1 - Mr. Dennis-5243

ROBERT P. SMITH v. DEPARTMENT OF JUSTICE,
U.S.D.C. D.C. CIVIL ACTION NO. 1840-72

As requested by Mr. Jeffrey Axelrad of your Division, enclosed are the original and five copies of an affidavit executed by Bureau Supervisor Howard W. Arendt.

Enclosures (6)

RCD:fal
(7)

ORIGINAL FILED IN

NOTE: Based on memorandum Legal Counsel to Acting Director, dated 3/5/73, captioned as above.

1 - Bufile 62-109060

62-109060-
NOT RECORDED
150 MAR 14 1973

54 MAR 19 1973

TREAT AS YELLOW

1
DL 100-10461
RPG:mvs:mss

Among LEE HARVEY OSWALD's personal effects examined after his arrest on November 22, 1963, there was noted an advertisement out of an unidentified publication in which Hershon Company, 1230 South Grand Avenue, Dept. GA-10, Los Angeles, California, advertised Hershon Custom Walnut Grips for hand guns. The advertisement contained the date "October, 1959" in longhand at the bottom.

It is pointed out that the FBI Laboratory examination of the Smith and Wesson .38 caliber weapon, Serial No. V510210, in OSWALD's possession when arrested, disclosed that the original grips on that weapon had been replaced. It is also pointed out that in October, 1959 OSWALD was en route to Russia.

On December 23, 1963, Mr. JERRY LUNDBLAD, Office Manager, Hershon Company, 1230 South Grand Avenue, Los Angeles, California, advised SA WILLIAM J. McCAULEY that records for 1953 and 1959, including correspondence and invoices, failed to disclose any sales identifiable with OSWALD and that no sales have been made to anyone in Russia for some years.

ENCLOSURE

62-109060
40

243 Elm Street
Schenectady, N.Y.
12304
March 12, 1973

Mr. Patrick Gray, Director
Federal Bureau of Investigation
Washington, District of Columbia

Assassination of President John F. Kennedy

Dear Mr. Gray:

I have been referred to your office by your Albany, New York field group. I am, at present, undertaking to write a fictional book in which the plot centers about the death of the late John F. Kennedy. It is my intention to create the aura of realism by various methods such as; using the names of all those public persons involved, reference to specific events, and use of exact forms and procedures where possible. As you can guess, this is no simple task. Above and beyond having to submit the finished text to each of the individuals and organizations involved before allowing the copy writing of the book, I must also try to obtain sets of forms and procedures which would come into use during such a catastrophic event. Such information would not be readily available to the public, which is very understandable. For this reason, and for the sake of realism, I turn to you for assistance.

It is my specific intention to attempt the following with regards to your agency:

REC-21

1. Illustrate Bureau interrogating techniques of a specific individual.

62-109060

26 1973

2. Utilize appropriate reporting forms for such interrogation.

3. Illustrate the proper technique for reporting how such an individual came to the Bureau's attention (in this case, he is turned over by the U.S. Air Force and is doing all possible to assist investigatory efforts).

4. Illustrate that cooperation which would take place between the Bureau, the C.I.A., and the Secret Service during such an event.

5. Outline the basic areas of responsibility of each of the involved agencies overall and how they would apply in this matter.

One
acknowledged 3-21-73 to Michaels. Phone GNG:jcm

Having had some experience with security while in the Air Force, I can well appreciate that some, or (if this is a very bad day for me), all of the above information may be of a restricted nature. In this event I should have to create methods and forms and hope for the best. Any information, however general, would be greatly appreciated. Should my book achieve any degree of success, (an unlikely happening) I shall be ready to supply you with as many copies as you desire (it's a good way to inflate the sales figures).

I extend a whole-hearted 'thanks' for your time and cooperation in this effort. I also promise to faithfully watch Effrim Zimbalist Jr. every Sunday night.

Respectively yours,

Michael S. Powell

Michael S. Powell

March 21, 1973

EX-109
REC-21 62-109060-7079

Mr. Michael S. Powell
243 Elm Street
Schenectady, New York 12304

Dear Mr. Powell:

Your letter dated March 12, 1973, has been received, and I appreciate the interest which prompted you to write.

I am unable to furnish the information that you request because it relates to internal operations and procedures of the FBI.

Sincerely yours,

L. Patrick Gray III

L. Patrick Gray, III
Acting Director

1 - Albany (Enclosure)

1 - Mr. Mintz

MAILED 4
MAR 2 1973
FBI

NOTE: Powell is not identifiable in Bufiles or in available reference sources regarding authors. This reply has been coordinated with Mr. J. L. Williamson of the Office of Legal Counsel.

GWG:jam (5)

JAM MAILED

MAR 2 1973

FBI

TO MAR 30 1973

FILED

Mr. Felt
Mr. Baker
Mr. Callahan
Mr. Cleveland
Mr. Conrad
Mr. Gebhardt
Mr. Jenkins
Mr. Marshall
Mr. Miller, E.S.
Mr. Soyars
Mr. Thompson
Mr. Walters
Tele. Room
Mr. Kinley
Mr. Armstrong
Mr. Bowers
Mr. Herington
Ms. Herwig
Mr. Mintz
Mrs. Neenan

MAIL ROOM ☐ TELETYPE UNIT ☐

EMORY L. BROWN, JR.
ROUTE 4, BOX 82
SQUANKUM ROAD
FARMINGDALE, NEW JERSEY 07727

62-109060

February 9, 1973

By Certified Mail
No. 821732

Office of the Director
Federal Bureau of Investigation
United States Department of Justice
Washington, D. C. 20535

Dear Sir:

Subject: ASSASSINATION OF PRESIDENT KENNEDY:
Spectrographic Examination of Bullet Fragments

I would like to obtain a copy of the results of the Spectrographic examinations preformed upon the bullet fragments recovered from the Presidents car, those recovered from his head during the autopsy and the traces on his clothing.

Please advise me of the cost of such copies and I will forward you a check. Your kind cooperation will be most appreciated.

Sincerely,

Emory L Brown Jr

EXP. PROC.
FEB 12 1973
95

Ack 2/15/73
RCD/fal

REC-7 62-109060-7080
8-21
8 FEB 14 1973

D Davis

REC-2 62-109060-7080

March 15, 1973

Mr. Emory L. Brown, Jr.
Route 1, Box 82
Squankum Road
Farmingdale, New Jersey 07727

Dear Mr. Brown:

This is in reply to your letter of February 9, 1973, requesting a copy of the results of the spectrographic examinations performed on certain bullet fragments recovered during the investigation of the assassination of President Kennedy.

Mr. Marion Johnson, in charge of the documents concerning the Kennedy assassination at the National Archives and Records Service, advised the information that you seek is reported in Commission Document No. 81 b and Commission Document No. 205, Section II, pages 153-154, and available for public inspection.

In view of the above, I suggest you contact the National Archives and Records Service, Pennsylvania Avenue at 7th Street N. W., Washington, D. C., to obtain the information you requested.

MAILED 4
MAR 15 1973
FBI

Sincerely yours,

L. Patrick Gray III

L. Patrick Gray, III
Acting Director

RCD:falgal
(7)

NOTE: Correspondent has requested material concerning the Kennedy assassination on several occasions in the past and filed suit against Att. Gen. John Mitchel and Director J. Edgar Hoover on 1/12/71 under the FOI to examine FBI reports from the Kennedy assassination. On 6/8/71 Brown's suit was dismissed by summary judgment. Marion Johnson, in charge of Kennedy Assassination Documents National Archives, advised the info Brown seeks herein is available to the public at the Archives. Due to the new FOI regulations in effect March 1, 1973, this letter has been informally discussed with the Department.

Mr. Felt
Mr. Baker
Mr. Callahan
Mr. Cleveland
Mr. Conrad
Mr. Gebhardt
Mr. Jenkins
Mr. Marshall
Mr. Miller, E.S.
Mr. Soyars
Mr. Thompson
Mr. Walters
Tele. Room
Mr. Kinley
Mr. Armstrong
Mr. Bowers
Mr. Herington
Ms. Herwig
Mr. Mintz
Mrs. Neenan

MAIL ROOM ☐ TAPE TYPE UNIT ☐

cc duplicate copy/law suit 1/75
ENCLOSED COPY FILED IN

Airtel

EX-114

4/9/73

TO: SACs, Baltimore
Dallas (89-43)

REC-69 7081

FROM: Acting Director, FBI (62-109060)

1 - Mr. Arendt

ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY
DALLAS, TEXAS
11/22/63
MISCELLANEOUS - INFORMATION CONCERNING

Enclosed herewith for Baltimore and Dallas is a self-explanatory letter dated 4/3/73, from Robert G. Hall.

The author of this letter, Robert G. Hall, cannot be identified in indices at FBI Headquarters.

Baltimore contact Hall and advise FBI Headquarters and FBI, Dallas, results of interview.

Enclosure

HWA:db (6)

MAILED 7
APR 6 1973
FBI

Mr. Felt
Mr. Baker
Mr. Callahan
Mr. Cleveland
Mr. Conrad
Mr. Gebhardt
Mr. Jenkins
Mr. Marshall
Mr. Miller, E.S.
Mr. Soyars
Mr. Thompson
Mr. Walters
Tele. Room
Mr. Kinley
Mr. Armstrong
Mr. Bowers
Mr. Herrington
Ms. Hoyle
Mr. Mintz
Mrs. Neenan

APR 16 1973

MAIL ROOM ☐ TELETYPE UNIT ☐

Dept.

3124 Wallford Drive
Baltimore, Md. 21222
April 3, 1973

Mr. L. Patrick Gray III
Director
Federal Bureau of Investigation
Dept. of Justice

O on yellow.

Dear Sir:

I believe I have some information relating to the shooting of President Kennedy that may be of interest to the Bureau. I suggest you have one of your agents call me at my apartment, 301-285-5387 or at my work, 301-477-5626 and arrange for a meeting.

EX-114 REC-69 62-109060-7081

21 APR 10 1973

Yours very truly,

Robert H. Hall

Robert H. Hall
3124 Wallford Drive
Baltimore
Maryland
21222

Ret

CORRESPONDENCE

Airtel to Hoover 4/9/73

FBI

Date: 4/19/73

Transmit the following in _____ (Type in plaintext or code)

Via AIRTEL _____ (Priority)

TO: ACTING DIRECTOR, FBI (62-109060)

FROM: SAC, BALTIMORE (89-30) (RUC)

SUBJECT: ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY;
DALLAS, TEXAS, 11/22/63
MISCELLANEOUS - INFORMATION
CONCERNING

Re Bureau airtel to Baltimore and Dallas, 4/9/73.

ROBERT GREEN HALL, 3124 Wallford Drive, Baltimore, Maryland, telephone 285-5384, was interviewed 4/16/73 by SA JAMES K. THULIN and SA KEVIN FOLEY. HALL began by stating that he should have talked to the FBI a long time ago about captioned matter as he thought he had planned the assassination of President KENNEDY. He explained that during 1950, he had occasion to be treated for a broken collar bone by one DR. OTTO PLEUGER of San Francisco, California and in a casual conversation, the two were discussing politics. In this conversation, HALL mentioned he would like to see a Southerner as President of the United States. When DR. PLEUGER asked how this could be accomplished, HALL said he explained that if a Vice President were selected from the South, the then President could be done away with and the assassin then killed.

When questioned as to what connection this 1950 conversation could have with KENNEDY's death, HALL said he thought maybe DR. PLEUGER told someone else about the conversation in question. When questioned further as to any possible motive on DR. PLEUGER's part in this matter, HALL said he knew of no motive that DR. PLEUGER would have in connection with captioned matter and stated that as a matter of fact, he had not seen PLEUGER since the 1950 conversation.

2 - Bureau
2 - Dallas (89-43)
1 - Baltimore
JKT/lrw

62-109060-7082

REC-21

18 APR 21 1973

5(4) MAY 1 1973

Approved: _____ Sent _____ M

Special Agent in Charge

U.S. Government Printing Office: 1972 — 455-574

At this point in the conversation, HALL expressed great guilt feelings regarding the KENNEDY assassination and said he had suffered a mental breakdown after the 1963 assassination. When questioned further about his medical history, HALL said he suffered his first mental collapse while a midshipman in the U.S. Naval Academy in 1937 and was given a medical discharge at that time. After leaving the Naval Academy, HALL enrolled in the Massachusetts Institute of Technology and was graduated there as a Marine Engineer. He is presently employed in this capacity with the Ship Building Division of Bethlehem Steel, Baltimore, Maryland. HALL advised he does not hold any security clearance in connection with this employment.

HALL advised further that he suffered another mental breakdown in 1954 and in 1956 and was treated at VA Hospital, Augusta, Georgia and St. Petersburg, Florida respectively. He was treated again in 1963 at VA Hospital, Boston, Massachusetts and in 1966 at VA Hospital, St. Petersburg, Florida. HALL advised he is presently an outpatient at the Psychiatric Unit of the VA Hospital, Baltimore, Maryland, under the care of DR. BACHER.

HALL concluded by saying that he felt better having discussed the matter with the FBI as he had great guilt feelings regarding his conversation with DR. PLEUGER and the subsequent assassination, of President KENNEDY.

The following background information was recorded in conversation with ROBERT GREEN HALL:

RACE:	White
SEX:	Male
ALIAS:	None
DATE OF BIRTH:	5/27/16
PLACE OF BIRTH:	Dallas, Texas
HEIGHT:	5'6 3/4"
WEIGHT:	160 pounds
BUILD:	Medium
HAIR:	Gray (balding on top)
EYES:	Blue
OCCUPATION:	Marine Engineer
EMPLOYMENT:	Bethlehem Steel, Ship Building Division, Baltimore, Maryland (5 years)
EDUCATION:	College graduate, MIT, Boston, Massachusetts, 1940

BA 89-30

MARITAL STATUS:	Divorced (twice)
FAMILY MEMBERS:	Ex-wives, BARBARA STOCKTON HALL 4266 Rickenbacker Way, N.E., Atlanta, Georgia; JULIA OLGA SCHMIDT HALL 3652 Manatee Drive, S.E., St. Petersburg, Florida
SONS:	MATTHEW W. HALL, age 27, Attorney-at-law, 1530 15th Avenue East, Seattle, Washington ROBERT GREEN HALL, IV, age 23 2845 Valencia Way South St. Petersburg, Florida JOHN HALL, age 9 3652 Manatee Drive, S.E. St. Petersburg, Florida
SSN:	577-16-8097
ARREST RECORD ADMITTED:	1963, Providence, Rhode Island, for vagrancy

FD-36 (Rev. 5-22-64)

FBI

Date: 4/30/73

Transmit the following in _____ (Type in plaintext or code)

Via AIRTEL _____ (Priority)

TO: ACTING DIRECTOR, FBI (62-109060)

FROM: SAC, BALTIMORE (89-30) -RUC-

SUBJECT: ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY
DALLAS, TEXAS, NOVEMBER 22, 1963
MISCELLANEOUS - INFORMATION CONCERNING

Re Baltimore airtel to Bureau and Dallas, 4/19/73.

Enclosed for the Bureau are four copies of an LHM concerning captioned matter.

Enclosed for Dallas is one copy of this LHM.

1 cy LHM to Secret Service
1-Tickler
JJS/gp 5-2-73

REC-91 62-109060-7083

ENCLOSURE

2- Bureau (Enclosures 4)
2- Dallas (Enclosure 1) (89-43)
1- Baltimore
JKT/nrk
(5)

MAY 1 1973

Approved: MAY 10 1973 Sent _____ M Per _____
Special Agent in Charge

*U.S. Government Printing Office: 1972 — 455-574

UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

Baltimore, Maryland

April 30, 1973

In Reply, Please Refer to File No. 89-30

ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY,
DALLAS, TEXAS, NOVEMBER 22, 1963

On April 16, 1973, Mr. Robert Green Hall, 3124 Wallford Drive, Baltimore, Maryland, was interviewed at his request and provided the following information:

Hall began by stating that he should have talked to the FBI a long time ago about captioned matter as he thought he had planned the assassination of President Kennedy. He explained that during 1950, he had occasion to be treated for a broken collar bone by one Dr. Otto Pleuger of San Francisco, California and in a casual conversation, the two were discussing politics. In this conversation, Hall mentioned he would like to see a Southerner as President of the United States. When Dr. Pleuger asked how this could be accomplished, Hall said he explained that if a Vice-President were selected from the South, the then President could be done away with and the assassin then killed.

When questioned as to what connection this 1950 conversation could have with Kennedy's death, Hall said he thought maybe Dr. Pleuger told someone else about the conversation in question. When questioned further as to any possible motive on Dr. Pleuger's part in this matter, Hall said he knew of no motive that Dr. Pleuger would have in connection with captioned matter and stated that as a matter of fact, he had not seen Pleuger since the 1950 conversation.

At this point in the conversation, Hall expressed great guilt fellings regarding the Kennedy assassination and said he had suffered a mental breakdown after the 1963 assassination. When questioned further about his medical history, Hall said he suffered his first mental collapse while a midshipman in the U. S. Naval Academy in 1937 and was given a medical discharge at that time. After leaving the Naval Academy, Hall enrolled in the Massachusetts Institute of Technology and was graduated there as a Marine Engineer. He is presently employed in this capacity with the Ship Building Division of Bethlehem Steel, Baltimore, Maryland. Hall advised he does not hold any security clearance in connection with this employment.

62-109060-7043

DISCLOSURE

ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY,
DALLAS, TEXAS, NOVEMBER 22, 1963

Hall advised further that he suffered another mental breakdown in 1954 and in 1956 and was treated at VA Hospital, Augusta, Georgia and St. Petersburg, Florida respectively. He was treated again in 1963 at VA Hospital, Boston, Massachusetts and in 1966 at VA Hospital, St. Petersburg, Florida. Hall advised he is presently an outpatient at the Psychiatric Unit of the VA Hospital, Baltimore, Maryland, under the care of Dr. Bacher.

Hall concluded by saying that he felt better having discussed the matter with the FBI as he had great guilt feelings regarding his conversation with Dr. Pleuger and the subsequent assassination of President Kennedy.

The following background information was recorded in conversation with Robert Green Hall:

Race:	White
Sex:	Male
Alias:	None
Date of birth:	May 27, 1916
Place of birth:	Dallas, Texas
Height:	5' 6 3/4"
Weight:	160 pounds
Build:	Medium
Hair:	Gray (balding on top)
Eyes:	Blue
Occupation:	Marine Engineer
Employment:	Bethlehem Steel, Ship Building Division, Baltimore, Maryland (5 years)
Education:	College graduate, MIT, Boston, Massachusetts, 1940
Marital Status:	Divorced (twice)

SS # 577-16-8077

ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY,
DALLAS, TEXAS, NOVEMBER 22, 1963

Family Members:	Ex-wives, Barbara Stockton Hall 4266 Rickenbacker Way, N. E. Atlanta, Georgia Julia Olga Schmidt Hall 3652 Manatee Drive, S. E., St. Petersburg, Florida
Sons:	Matthew W. Hall, age 27 Attorney-At-Law, 1530 15th Avenue East, Seattle, Washington Robert Green Hall IV, age 23 2845 Valencia Way South St. Petersburg, Florida John Hall, age 9 3652 Manatee Drive, S. E. St. Petersburg, Florida
Social Security #:	577-16-8097
Arrest Record Admitted:	1963, Providence, Rhode Island, for vagrancy

1735 Highland Place, Apt. 25
Berkeley, CA 94709
April 24, 1973

Mr. Joseph T. Sneed
Deputy Attorney General
Department of Justice
Washington, D.C. 20530

Dear Mr. Sneed:

Thank you for your letter of April 9, concerning my requests under the Freedom of Information Act for certain FBI records relating to the assassination of President Kennedy. I do not approve of the continued delay. In particular, I do not agree that the petition for a rehearing of Weisberg v. Department of Justice makes it "necessary" to hold open the previous denial in my case.

I would like to request access to a certain post-assassination FBI record: the cover letter and part (a) of Warren Commission Document 1084. The cover letter, from Mr. Hoover, is dated June 10, 1964. Part (a) is described in the Commission's list of basic source material as an undated memorandum, classified Secret, entitled "Assassination of President John Fitzgerald Kennedy, Dallas, Texas, November 22, 1963."

The other parts of CD 1084 were released in 1970. Part (b) is an undated memorandum, originally classified Secret (but for no apparent good reason), concerning the Ruby case. It was apparently written on or shortly after November 25, 1963, to summarize the evidence available at that time. I expect, therefore, that part (a) is an early summary of the evidence in the assassination case.

As you know, I am particularly interested in the pre-assassination FBI files on Oswald, and the extent to which they were given to the Commission. If CD 1084 relates to that material, it would be of special importance. That possibility is indicated by the description of the cover letter in the Commission's list: "re dossier on Lee Harvey Oswald." However, from the lack of any obvious connection between the available parts of CD 1084, and from their dates and contents, it also appears possible that they were sent to the Commission in response to a request for any post-assassination reports in the FBI "dossier" on Oswald which had not previously been submitted.

I hope that you can at least clear up this question about the nature of this CD, either in your response or by releasing the cover letter.

Sincerely yours,

Paul L. Hoch

Paul L. Hoch

62-109069-7084

Form DJ-156
(Ed. 4-26-[illegible])

UNITED STATES GOVERNMENT

Memorandum

DEPARTMENT OF JUSTICE

TO : William Ruckelshaus
Acting Director
Federal Bureau of Investigation

DATE: May 2, 1973

FROM : Joseph T. Sneed
Deputy Attorney General

Re: Assassination of President John F. Kennedy

SUBJECT: FREEDOM OF INFORMATION ACT REQUEST - Paul L. Hoch

F.P.

Enclosed herewith is a request for access to the cover letter and part (a) of Warren Commission Document 1084. The cover letter, from Mr. Hoover, is dated June 10, 1964. Part (a) is described in the Commission's list of basic source materials as an undated memorandum, classified Secret, entitled "Assassination of President John Fitzgerald Kennedy, Dallas, Texas, November 22, 1964.

Pursuant to 28 CFR § 16.5 which took effect on March 1, 1973, the head of the responsible division shall, within 10 working days, either comply with or deny a request for records unless additional time is required.

In cases where additional time is required the requester should be notified of the reasons for the time extension, which should not exceed 10 additional working days. An extension of time in excess of 10 additional working days requires the approval of the Deputy Attorney General.

Copies of all acknowledgements and responses to the requester should be forwarded to the office of the Deputy Attorney General.

WARREN COMMISSION CD 1084
Cover letter, June 10, 1964
Part (a)

EXP. PROC.
40
MAY 3 1973

REC 107
62-109060-7084

16 MAY 3 1973

ACK to P.L. Hoch
5/17/73
PGO/pcw

ENCLOSURE

Done here

REC 107
62-109060-7084

May 17, 1973

2 - Mr. Mintz
1 - Mr. Donahue

Mr. Paul L. Hoch
Apartment 25
1735 Highland Place
Berkeley, California 94709

Dear Mr. Hoch:

Pursuant to a request from the Department of Justice, I am replying to your letter of April 24, 1973, to Mr. Joseph T. Sneed, Deputy Attorney General, Department of Justice, Washington, D. C. You requested access to a cover letter dated June 10, 1964, and part (a) of Warren Commission Document 1084.

I regret to inform you that the information you request is contained in an investigatory file compiled for law enforcement purposes and as such is exempt from public disclosure under the provisions of Title 5, United States Code, Section 552(b)(7).

MAILED 24
MAY 17 1973
FBI

You may appeal my decision in this matter within 30 days of the receipt of this letter by writing the Attorney General (Attention: Office of Legal Counsel), Washington, D. C. 20530. Additionally, judicial review is thereafter available either in the district in which you reside or have a place of business, or in the District of Columbia, the location of the records to which you seek access.

Sincerely yours,

William D. Ruckelshaus

William D. Ruckelshaus
Acting Director

Mr. Felt
Mr. Baker
Mr. Callahan
Mr. Cleveland
Mr. Conrad
Mr. Gebhardt
Mr. Kinley
Mr. Walsh
Mr. E.S. Miller

1 - The Deputy Attorney General Enclosure
PGD:llr 1 - Buffle 62-115530 (FOI Replies)

55 MAY 24 1973

UL ROOM ☑ TELETYPE UNIT ☐

Mr. Paul L. Hoch

NOTE: Based on Freedom of Information request for access to a letter written by the late Director J. Edgar Hoover to The President's Commission, dated June 10, 1964, enclosing, inter alia, an undated memorandum captioned "Assassination of President John Fitzgerald Kennedy, Dallas, Texas, November 22, 1963." The memorandum was a work paper, prepared for briefing purposes. It was not prepared for dissemination and was not to be considered as an official report of the FBI. This memorandum contained data which was reported elsewhere in a form suitable for dissemination. This is the memorandum referred to by Mr. Hoch as part (a) of Warren Commission Document 1084. The cover letter is filed between serials 4186 and 4187 in Section 154 of Bufile 105-82555. The memorandum is filed in an enclosure envelope for 105-82555-4214.

ev. 5-22-64)

FBI

Date: 5/31/73

Transmit the following in _____ (Type in plaintext or code)

Via AIRTEL _____ (Priority)

TO: ACTING DIRECTOR, FBI (62-109060)

FROM: SAC, DALLAS (89-43) (P*)

SUBJECT: ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY
DALLAS, TEXAS
11/22/63
MISCELLANEOUS - INFORMATION CONCERNING

OO: DALLAS

Enclosed for the Bureau are three newspaper clippings described as follows:

(1) "The Dallas Morning News" of 3/15/73 captioned "For Sale: A Historic Landmark". This article describes the possible future disposition of the Texas Schoolbook Depository Building from which LEE HARVEY OSWALD is alleged to have killed President KENNEDY.

(2) "The Dallas Morning News" of 5/6/73 captioned "Marina Guards Quiet New Life". This article describes MARINA OSWALD's current mode of life and comments concerning her being awarded $17,729 for a number of small personal articles that belonged to LEE HARVEY OSWALD.

ST-105

(3) "The Dallas Morning News" of 5/15/73 captioned "Suit Dropped by Widow of Oswald". This article reflects that MARINA OSWALD PORTER has dropped her $60,000 suit against the Federal Government after being awarded $17,729 for confiscated property that once belonged to her husband. This article indicates that she had sought damages in the $60,000 suit for what she alleged to be FBI mishandling of

REC-29 62-109060-7085

2 - Bureau (ANSD) (Enc. 3)
1 - Dallas
RPG/pkp
ENCLOSURE ATTACHED

ENCLOSURE

JUN 4 1973

Approved: _____ Special Agent in Charge

Sent _____ M Per _____

U.S.Government Printing Office: 1972 — 455-574

54 JUN 11 1973

DL 89-43

letters and other documents once belonging to OSWALD.

The above articles are furnished for the Bureau's information.

(Clipping in Space Below)

For Sale: A Historic Landmark

For Sale or Lease: Famous Historic Dallas Landmark* formerly occupied by Texas Schoolbook Depository at 411 Elm Street (at Houston Street)

*It was from a window in this building, according to the Warren Commission Report, that a sniper fired the shots that killed President John F. Kennedy and wounded former Gov. John Connally Nov. 22, 1963.

By TONY CASTRO

In an almost inconspicuous ad near the bottom of a page in this newspaper, the building from which Lee Harvey Oswald allegedly shot President John F. Kennedy in 1963 was advertised for sale or lease Wednesday by its owner, D. Harold Byrd of Dallas.

A spokesman for Byrd said the ad will soon appear in other newspapers, including the Wall Street Journal, in a massive effort "to do something with the building."

"The building is just sitting there," said Warner Lewis, administrative assistant to Byrd. "Something needs to be done."

Byrd's renewed effort to sell or lease the building comes while the City of Dallas awaits the decision of a state committee that has been asked to nominate the building for the National Historical Register.

City Mgr. George Schrader said Wednesday the city will not take any other steps until it hears from the state committee, which reportedly is worried that the building might become the victim of gaudy commercialization.

Meanwhile, the ad, particularly if it should result in serious negotiations for sale, could re-ignite the local controversy over whether the building should be taken over by the city or state either to be converted into a memorial or torn down.

Efforts on both sides intensified last year when Aubrey Mayhew of Nashville, Tenn., a Kennedy buff who bought the building in 1970, ran into financial trouble and Byrd foreclosed on the mortgage.

Both Byrd and Dallas developer Raymond Nasher, chairman of a state committee studying how President Kennedy should be memorialized, were out of the city Wednesday and unavailable for comment.

Lewis, who is handling the sale of the building for Byrd, said late Wednesday that the ad already has elicited inquiries but that the stage of serious negotiations has not been reached.

The ad, which includes a picture of the building, notes that the old depository has 80,000 square feet of office and warehouse space on its seven floors and basement, with a sprinkler system throughout the building. The ad also points out that the building overlooks Dealey Plaza.

(Indicate page, name of newspaper, city and state.)

"The Dallas Morning News", Dallas, Tex

Page 1-D

Date: 3-15-73

Edition:

Author:

Editor: JACK B. KRUGER

Title:

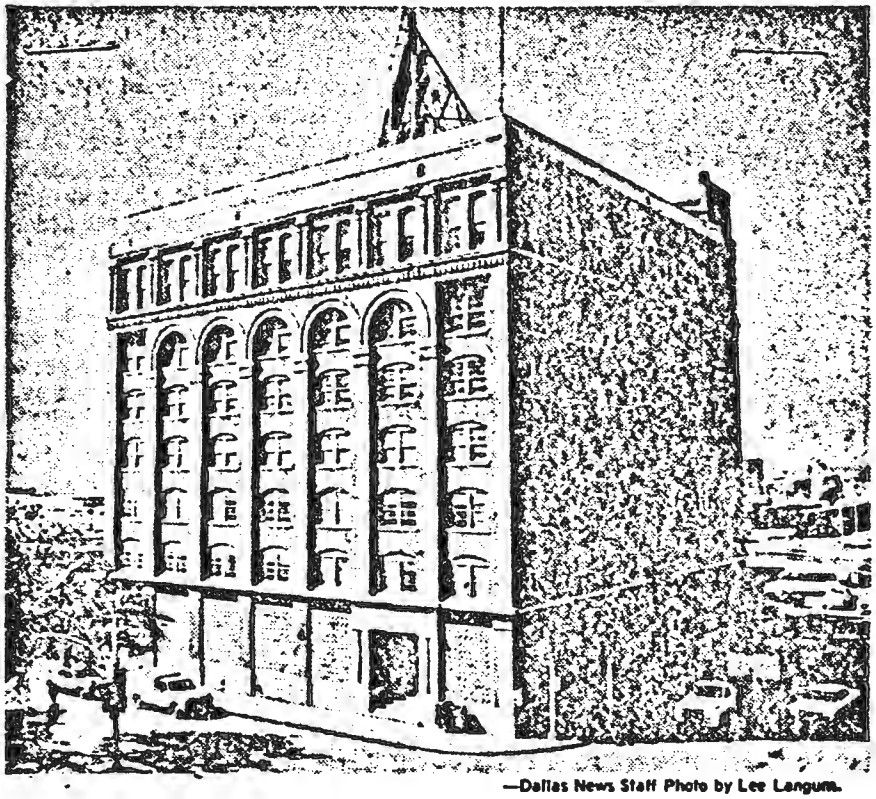
Character

or

Classification:

Submitting Office: DALLAS

☐ Being Investigated



—Dallas News Staff Photo by Lee Langum.

Future still clouded for old Texas Schoolbook Depository

(Mount Clipping in Space Below)

Suit Dropped By Widow Of Oswald

Mrs. Marina Oswald Porter, widow of alleged presidential assassin Lee Harvey Oswald, dropped her $60,000 suit against the government after being awarded $17,729 for confiscated property that once belonged to her husband.

U.S. Dist. Judge Joe E. Estes signed an order last week granting Mrs. Porter monies the U.S. Fifth Circuit ruled she was entitled to.

Meanwhile, at Mrs. Porter's request, U.S. Dist. Judge Robert M. Hill dismissed the $60,000 suit. Mrs. Porter had sought damages for what she alleged to be FBI mishandling of letters and other documents once belonging to Oswald.

(Indicate page, name of newspaper, city and state.)

"The Dallas Morning News", Dallas, Texas

Page 11A

Date: 5-15-73

Edition:

Author:

Editor: JACK B. KRUGER

Title:

/

Character:

or

Classification:

Submitting Office: DALLAS

☐ Being Investigated

(Mo[illegible]tipping In Space Below)

10 Years Later

Marina Guards Quiet New Life

By PRESTON MCGRAW

RICHARDSON, Texas (UPI)—The remarried widow of the man who shot President John F. Kennedy is still as shy and uncommunicative as she was nearly a decade ago when the assassination thrust her into the world spotlight.

"I'm sick but that's not for publication," Marina Oswald Porter said during a telephone call to her modest home in this Dallas suburb. "I don't want to give you any information. Goodbye."

Mrs. Porter, 32, did sound as though she had a bad cold. Despite that, there was a noticeable change in her speech—now almost without an accent.

When Lee Harvey Oswald gunned down Kennedy from a sixth floor window of the Texas School Book Depository in Dallas Nov. 22, 1963, Marina spoke only Russian. She had been a pharmacist in Russia when she married Oswald two years before the assassination.

Mrs. Porter and her second husband, Kenneth Jess Porter, 35, live in a red brick home with a shingle roof in Richardson. There are trees in the yard and the lawn is greening under the spring sunshine.

She has three children—daughters June, 11, and Rachel, 9, by Oswald, and a son, Mark, 7, by Porter.

Apparently she does not mix well. People in Richardson know little or nothing about her.

A woman who exchanges greetings frequently with her at a supermarket said she is a domestic type "who makes a lot of her own clothes and likes for her children to chew sugarless gum."

The 5th U.S. Circuit Court of Appeals ruled recently in New Orleans that the American government must pay her $17,729 for some 500 small personal articles that belonged to Oswald. The items have been placed permanently in the U.S. Archives.

MOST highly valued of the articles was Oswald's diary, valued at $5,000.

In the diary, Oswald tells how he married Marina Prusskova "to hurt Ella." Ella (family name unknown) was a Russian girl who spurned Oswald. Oswald lived in Russia from January, 1960, until May, 1962, after his discharge from the Marine Corps.

Marina married Porter, a twice divorced electronics technician, in 1965. Shortly after the marriage Porter went into business as the operator of a bar. That did not work out, and at last report, he was repairing sewing machines.

Except for one incident about six months after the marriage, the Porters have not had any marital problems that attracted public attention.

In November, 1965, the bride went to Justice of the Peace Bill Richburg and complained:

"We got into an argument today. He slapped me in the face and tried to get me to put the children outside so he could be alone with the gun he carried. I am afraid he might try to do me bodily harm."

Richburg put Porter under $1,500 peace bond. Porter returned to Marina and no further incidents have been reported.

Mrs. Porter has been able to supplement her second husband's income with some other windfalls that resulted from Oswald's infamy. Before she married Porter, sympathetic Americans had sent her about $60,000.

WITH a collaborator, she subsequently wrote a book that apparently did not sell well. She sold her rights to the rifle her husband used to kill Kennedy and the pistol with which he killed a policeman, to a collector for $11,350.

The government has the rifle and pistol and is expected to keep them.

Erich F. Klein Jr., her lawyer, said she has not gotten the $17,729 the U.S. Circuit Court awarded her. He said of her:

"She is a shy thing. I don't get to talk to her but once in every three years maybe."

The only real interview Mrs. Porter has ever given was for money. It was with Redbook magazine, which published the interview in August, 1970.

(Indicate page, name of newspaper, city and state.)

"The Dallas Morning News", Dallas, Texas

Page 25A

Date: 5-6-73

Edition:

Author:

Editor: JACK B. KRUGER

Title:

Character:

or

Classification:

Submitting Office: DALLAS

☐ Being Investigated

"I am doing this for money," the interview quoted her. "I don't need publicity. I'm not a movie star. I don't like publicity. It has done me nothing but harm."

In the interview, Mrs. Porter said that when her daughter June was in the second grade, the class studied the life of President Kennedy. During a discussion, June volunteered, "My first daddy killed him."

"She (June) said it just as a fact, you know," Mrs. Porter was quoted. "Something she knew and should perhaps tell."

SHE SAID she was afraid that if she did not tell June before she started school that her father had killed the President, somebody else would.

"The first week Junie went to school, I talked to her about it," Mrs. Porter said. "I have to open my mouth because I am afraid if somebody tells her before me, she will be hurt more.

"Oh, it was the hardest thing. We cried a little. Then she asked some questions, and I answered, so that she won't have the wrong feelings."

She said she loved Oswald when she married him.

"His mind became sick. I do not know if it was politics," she said.

She said she gets homesick for Russia but believes the United States to be the best country in the world.

"There is too much democracy here," she said. "The people want too much. They want too much to be given. We have this freedom of speech, so we ask for everything. People do not appreciate what they have. The people who protest that America is no good, they should be sent for one year to Russia to work.

"Then they would be glad to come back; they would love it. Everything in it. No country in the world is perfect, the way they expect America to be. Every country has its faults and problems. Look at the best ones there are. You know the best country in the world? Here, the United States."

4 June 1973

Dear Mr. Ruckelshaus,

Just a short follow-up to my letter of 21 May 1973, concerning the arrest and trial of George Fassnacht, in Philadelphia.

I mentioned in my letter, that on 9 May 1973, I had addressed a letter to the Philadelphia District Attorney's Office; three questions were asked:

1. Why was the trial halted?
2. Is Commonwealth planning to continue the trial?
3. If information was developed at trial, what were sources of firearms and explosives, and what were reasons given by Tobin and Fassnacht for having same?

Quoted below is 30 May 1973 reply from DA's Office:

> "The trial of George Fassnacht was discontinued because the judge issued an order suppressing the evidence against the defendant.
>
> Our office has filed an appeal from that order to the Superior Court of Pennsylvahia and the appeal will be argued at the next term of court."
>
> Signed: "William J. Stevens, Jr."

Checking some of the back-issues of the local paper, I still have not been able to discover what Fassnacht's activities were, (where he got the explosives and what use he was putting them to). I forgot to ask the Philly DA's Office whether Fassnacht was still in the Country, and what his source of funds was, in June 1971.

Best wishes,

Edward R. Slemmer

Edward R. Slemmer
136 South Fulton Street
Allentown, PA 18102

REC-50

62-109060-7085

12 JUN 7 1973

Deleted Copy Sent
by Letter
Per FOIA Request

CORRESPONDENCE

FILE - REPLY
NO ACTION
DO NOT FILE
DEPARTMENT OF JUSTICE

E-144

0 5 JUN 14 1973

35 Highland Place, Apt. 25
Berkeley, CA 94709
May 21, 1973

Mr. William D. Ruckelshaus
Acting Director
Federal Bureau of Investigation
Washington, D.C. 20535

Dear Mr. Ruckelshaus:

Thank you for your letters of May 16 and 17, 1973, concerning my requests for access to certain FBI records relating to the assassination of President Kennedy.

Unfortunately, there was a typographical error in my letter of April 27. As you pointed out in your letter of May 16, my last paragraph did not make sense. I twice wrote "CE 3148" instead of "CE 3147." That paragraph should have read as follows:

> "Miss Smith's letter suggests that the memo of September 10, 1964 may be identical to CE 3147, which bears that date; however, CE 3147 comes from the pages of CD 1546 which are attachments to the memo of September 14."

That is, CE 3147 is pages 202-207 of CD 1546, and pages 177-208 are identical to the attachment. So, if Miss Smith's suggestion is correct, CE 3147 was both a separate enclosure to CE 3146 and an attachment to a second enclosure; that seems unlikely. Therefore, my request is still operative: "To clear up this confusing situation, I would also appreciate a copy of the first page of the memo of September 10, 1964."

I apologize for this error. Thank you for furnishing a replacement copy of the other requested page to the National Archives.

Your letter of May 17 was in response to a request made in my letter of April 24 to Mr. Sneed, which was referred to you. In the first paragraph of that letter, I commented on my previous request; Mr. Sneed has not replied to those comments. I first asked for access to all pre-assassination FBI files on Lee Harvey Oswald on April 9, 1971. That request was denied in two months, but there has been no decision on my appeal. Since so much time has passed, you may wish to review the original decision to withhold this material, and my correspondence with the Justice Department. I think it is necessary now, more than ever, to insure the preservation and maximum possible disclosure of this important material.

Sincerely yours,

Paul L. Hoch

Paul L. Hoch

ack NRL 6/11/73
PSD/mgb

REC-90

62-109060-7086

ENCLOSURE JUN 12 1973

CORRESPONDENCE

REC 90

62-109060-7087

June 11, 1973

1 - Mr. Miller
2 - Mr. Mintz
1 - Mr. Donahue

Mr. Paul L. Hoch
Apartment 25
1735 Highland Place
Berkeley, California 94709

Dear Mr. Hoch:

This is in reply to your letter of May 21, 1973, wherein you request a copy of the first page of an FBI memorandum dated September 10, 1964. This memorandum is referred to in the first sentence of the second paragraph of Commission Exhibit Number 3146 along with two other memoranda dated September 8, 1964, and September 11, 1964.

You requested the page referred to above to determine if it is identical to Commission Exhibit Number 3147. It is not identical thereto. We cannot make a copy of this page available to you because it is contained in an investigatory file compiled for law enforcement purposes, and as such, is exempt from public disclosure under the provisions of Title 5, United States Code, Section 552(b)(7).

You may appeal my decision in this matter within thirty days of the receipt of this letter by writing to the Attorney General, Attention: Office of Legal Counsel, Washington, D. C. 20530. Additionally, judicial review is thereafter available either in the district in which you reside or have a place of business, or in the District of Columbia, the location of the records to which you seek access.

1 - Bufile 62-115530 (FOI Replies)

PGD:mbk/mfd
(7)
See Note Page 2

MAILED 8
JUN 11 1973
FBI

Mr. Felt
Mr. Baker
Mr. Callahan
Mr. Cleveland
Mr. Conrad
Mr. Gebhardt
Mr. Jenkins
Mr. Marshall
Mr. Miller, E.S.
Mr. Soyars
Mr. Thompson
Mr. Walters
Tele. Room
Mr. Bates
Mr. Barnes
Mr. Bowers
Mr. Herington
Mr. Conny
Mr. Mintz
Mr. Eardley
Mrs. Hogan

MAIL ROOM ☒ TELETYPE UNIT ☐

JUN 14 1973

Mr. Paul L. Hoch

Your letter also suggested that we might wish to review a previous decision to withhold access to all preassassination FBI files on Lee Harvey Oswald. Inasmuch as you have undertaken the appropriate appeal to the Attorney General in this matter, resolution of your request must await his decision.

Sincerely yours,

William D. Ruckelshaus

William D. Ruckelshaus
Acting Director

1 - The Deputy Attorney General (Enclosure)

NOTE: Based on Freedom of Information Act request for access to first page of FBI memorandum of 9/10/64. By letter dated 4/27/73, Hoch requested access to the first page of the above-mentioned memorandum (9/10/64), but the phraseology of his letter was incorrect in stating the basis for his request. By Bureau letter 5/16/73, we pointed out the discrepancy and stated that since the purpose of his request had been to clear up whether the above-mentioned memorandum was identical to Commission Exhibit 3148 we assumed that it was not necessary to respond to his request in the form of granting or denying it. Hoch has corrected the basis for his request in his letter of 5/21/73.

May 17, 1973

2 - Mr. Mintz
1 - Mr. Donahue

Mr. Paul L. Hoch
Apartment 25
1735 Highland Place
Berkeley, California 94709

Dear Mr. Hoch:

Pursuant to a request from the Department of Justice, I am replying to your letter of April 24, 1973, to Mr. Joseph T. Snood, Deputy Attorney General, Department of Justice, Washington, D. C. You requested access to a cover letter dated June 10, 1964, and part (a) of Warren Commission Document 1084.

I regret to inform you that the information you request is contained in an investigatory file compiled for law enforcement purposes and as such is exempt from public disclosure under the provisions of Title 5, United States Code, Section 552(b)(7).

You may appeal my decision in this matter within 30 days of the receipt of this letter by writing the Attorney General (Attention: Office of Legal Counsel), Washington, D. C. 20530. Additionally, judicial review is thereafter available either in the district in which you reside or have a place of business, or in the District of Columbia, the location of the records to which you seek access.

Sincerely yours,

William D. Ruckelshaus
Acting Director

1 - The Deputy Attorney General Enclosure

PGD:llr 1 - Bufile 62-115530 (FOI Replies)
(7)

ENCLOSURE 62-109060-9087

Mr. Paul L. Hoch

NOTE: Based on Freedom of Information request for access to a letter written by the late Director J. Edgar Hoover to The President's Commission, dated June 10, 1964, enclosing, inter alia, an undated memorandum captioned "Assassination of President John Fitzgerald Kennedy, Dallas, Texas, November 22, 1963." The memorandum was a work paper, prepared for briefing purposes. It was not prepared for dissemination and was not to be considered as an official report of the FBI. This memorandum contained data which was reported elsewhere in a form suitable for dissemination. This is the memorandum referred to by Mr. Hoch as part (a) of Warren Commission Document 1084. The cover letter is filed between serials 4186 and 4187 in Section 153 of Bufile 105-82555. The memorandum is filed in an enclosure envelope for 105-82555-4214.

35 Highland Place, Apt. 2
Berkeley, CA 94709
May 21, 1973

The Attorney General
(Attention: Office of Legal Counsel)
Department of Justice
Washington, D.C. 20530

Dear Sir:

By letter of May 17, 1973, my request under the Freedom of Information Act for parts of Warren Commission Document 1084 was denied by Acting FBI Director Ruckelshaus. I am hereby appealing that decision.

A copy of my letter of April 24 to Mr. Sneed is enclosed. It discusses CD 1084 and gives reasons for my request.

I have been carrying on extensive correspondence with the Justice Department for several years, concerning the applicability of the investigatory file exemption to records relating to the assassination of President Kennedy. You may wish to refer to my earlier letters for relevant arguments. Please consider the following points:

(1) The U.S. Court of Appeals has recently clarified the limits of the investigatory file exemption, indicating that the withholding agency must prove some basis for fearing that some harm (i.e., an invasion of privacy or disclosure of a source that must be protected) might result from disclosure.

(2) The FBI investigation into the assassination was carried on for the Warren Commission, which was not charged with the enforcement of any law.

(3) The investigative file exemption does not require nondisclosure; there has been an often-stated policy of maximum possible public disclosure in this case.

The first paragraph of the enclosed letter refers to a long delay in processing my earlier requests. In particular, I asked for access to all pre-assassination files on Lee Harvey Oswald on April 9, 1971; my appeal is still being held open. I have never received any response to my arguments that all those records are required to be preserved in the National Archives.

Sincerely yours,

Paul L. Hoch

Paul L. Hoch

RECEIVED
MAY 24 1 20 PM '73
OFFICE OF LEGAL COUNSEL

62-109060-7088

[illegible] Highland Place, Apt. 2
Berkeley, CA 94709
April 24, 1973

Mr. Joseph T. Sneed
Deputy Attorney General
Department of Justice
Washington, D.C. 20530

Dear Mr. Sneed:

Thank you for your letter of April 9, concerning my requests under the Freedom of Information Act for certain FBI records relating to the assassination of President Kennedy. I do not approve of the continued delay. In particular, I do not agree that the petition for a rehearing of Weisberg v. Department of Justice makes it "necessary" to hold open the previous denial in my case.

I would like to request access to a certain post-assassination FBI record: the cover letter and part (a) of Warren Commission Document 1084. The cover letter, from Mr. Hoover, is dated June 10, 1964. Part (a) is described in the Commission's list of basic source material as an undated memorandum, classified Secret, entitled "Assassination of President John Fitzgerald Kennedy, Dallas, Texas, November 22, 1963."

The other parts of CD 1084 were released in 1970. Part (b) is an undated memorandum, originally classified Secret (but for no apparent good reason), concerning the Ruby case. It was apparently written on or shortly after November 25, 1963, to summarize the evidence available at that time. I expect, therefore, that part (a) is an early summary of the evidence in the assassination case.

As you know, I am particularly interested in the pre-assassination FBI files on Oswald, and the extent to which they were given to the Commission. If CD 1084 relates to that material, it would be of special importance. That possibility is indicated by the description of the cover letter in the Commission list: "re dossier on Lee Harvey Oswald." However, from the lack of any obvious connection between the available parts of CD 1084, and from their dates and contents, it also appears possible that they were sent to the Commission in response to a request for any post-assassination reports in the FBI "dossier" on Oswald which had not previously been submitted.

I hope that you can at least clear up this question about the nature of this CD, either in your response or by releasing the cover letter.

Sincerely yours,

Paul L. Hoch

Paul L. Hoch

LHT to AAG OLC
7/10/73
FGA/ler

62-109060-7088

ENCLOS[illegible]

Assistant Attorney General
Office of Legal Counsel

July 10, 1973

Director, FBI

1 - Mr. E. S. Miller
2 - Mr. Mintz
1 - Mr. Donahue

PAUL L. HOCH
FREEDOM OF INFORMATION ACT

By letter dated April 24, 1973, Mr. Hoch requested access to a letter dated June 10, 1964, from the late Director Hoover to the Warren Commission and one of its enclosures, part (a) of Warren Commission Document 1084, hereafter referred to as part (a). Part (a) is described in the Warren Commission's list of basic source material as an undated memorandum classified "Secret," entitled "Assassination of President John Fitzgerald Kennedy, Dallas, Texas, November 22, 1963."

MAILED 24
JUL 10 1973
FBI

By letter dated May 17, 1973, we denied Mr. Hoch access to the requested material as exempt from public disclosure under the provisions of Title 5, United States Code, Section 552(b)(7), and advised him of his right to appeal that decision. By letter of May 21, 1973, directed to your office, Mr. Hoch exercised his right to appeal.

REC-56 62-109060-7088

The cover letter which Mr. Hoch seeks transmitted part (a) as well as the other parts of Warren Commission Document 1084. The cover letter and surrounding material make it apparent that part (a) was a hurriedly prepared work paper compiled in Dallas, Texas, on November 25-26, 1963, for the purpose of transmittal to the Legat, Mexico City. The then Ambassador to Mexico, Thomas Mann, had asked to be briefed on the assassination. Part (a) is an eleven-page memorandum and two-page list of exhibits which were never compiled. The eleven pages of text purported to summarize the then known data regarding the Kennedy assassination, the background of Lee Harvey Oswald, and the death of Oswald. This document was not prepared for dissemination and the cover letter advised the Warren Commission

JUL 12 1973

Mr. Felt
Mr. Baker
Mr. Callahan
Mr. Cleveland
Mr. Conrad
Mr. Gebhardt
Mr. Jenkins
Mr. Marshall
Mr. Miller, E.S.
Mr. Soyars
Mr. Thompson
Mr. Walters
Tele. Room
Mr. Baine
Mr. Barnes
Mr. Bowers
Mr. Herington
Mr. Conny
Mr. Mintz
Mr. Wannall
Mrs. Hogan

MAIL ROOM ☐ TELETYPE UNIT ☐

PGD:llr
(7)

1 ENCLOSURE

SEE NOTE PAGE TWO. . .

84 JUL 18 1973 File 62-115530 (FOI Replies)

that it was not to be considered an official report of the FBI. The letter also stated that the material in part (a) had been superseded by other reports and memoranda which had been disseminated to the Warren Commission. The only reason the material in part (a) was provided to the Warren Commission was that it had become aware of its existence through a visit by its staff to Mexico City, and asked for copies of what was furnished to Ambassador Mann.

In addition to being compiled for an investigatory file the following factors would appear relevant to the denial of Mr. Hoch's appeal for access to part (a):

1. The document is classified "Secret."

2. It was prepared as an intra-agency work paper and not intended for dissemination.

3. Because it was furnished to Ambassador Mann, it could also be considered an inter-agency memorandum.

4. It contained some inaccuracies and was later corrected and superseded by other reports and memoranda. To the extent that there would be inconsistencies between it and other published data, it would raise needless problems and questions.

Mr. Hoch's appeal for access to the cover letter dated June 10, 1964, should also be denied upon the grounds that it describes part (a) and is itself classified "Secret."

NOTE: Based upon appeal by Paul L. Hoch from denial of access to certain FBI documents described above, under the Freedom of Information Act.

UNIVERSITY OF KANSAS MEDICAL CENTER
RAINBOW BOULEVARD AT 39TH STREET
KANSAS CITY, KANSAS 66103 • AREA CODE 913 • 236-5252

SCHOOL OF MEDICINE
DEPARTMENT OF PATHOLOGY AND ONCOLOGY

July 3, 1973

Clarence M. Kelley, Esq., Director
Federal Bureau of Investigation
Washington, D. C. 20535

Dear Mr. Kelley:

I am writing to obtain one 8x10 inch glossy print of each of twelve (12) photographs taken by the FBI during the re-enactment of the assassination of the late President John F. Kennedy.

On June 28, 1973, while in the National Archives, I was shown some of the desired photographs as Warren Commission Exhibits from which the Archivist had previously prepared three (3) second generation prints for me. The rest of the desired prints were not published and I was advised that the FBI retained the negatives for the whole lot.

The desired prints entitled "Photograph through rifle scope" are:

	Warren Commission Exhibit number	Corresponding Zapruder Frame number
1.	- nil -	217
2.	- nil -	218
3.	- nil -	219
4.	- nil -	220
5.	- nil -	221
6.	- 894 -	222
7.	- nil -	223
8.	- nil -	224
9.	- 895 -	225
10.	- 902 -	313
11.	- 902 -	"Photograph from re-enactment" (Zapruder view from right)
12.	- 573 -	Bullet (General Walker's house)

REC-61 62-109060-7089

7 JUL 19 1973

Shall look forward to learning the costs so that I may remit my personal check by return post.

Sincerely,

John Nichols

John Nichols, M.D.
Associate Professor of Pathology

Ack Let to Nichols 7/18/73 RCO:lmh

CORRESPONDENCE

REC-51 62-109060-7089

July 18, 1973

1 - Mr. B. J. White
2 - Mr. Mintz
1 - Mr. Dennis

Dr. John Nichols
Associate Professor of Pathology
The University of Kansas Medical Center
School of Medicine
Department of Pathology and Oncology
Rainbow Boulevard at 39th Street
Kansas City, Kansas 66103

Dear Dr. Nichols:

Your letter dated July 3, 1973, requested one 8-by-10-inch glossy print each of twelve photographs purportedly taken by the FBI during the reenactment of the assassination of President Kennedy.

The FBI did not take photographs through a rifle scope which would correspond with frames 217, 218, 219, 220, 221, 223, and 224 of the Zapruder film. However, we can furnish you with 8-by-10-inch glossy prints of items 6, 9, 10, 11, and 12 listed in your letter at a charge of 50 cents per print.

Upon receipt of the proper remittance made payable to the Treasurer of the United States, we will send you the requested prints.

Sincerely yours,

C. M. Kelley

MAILED 3
JUL 18 1973
A-FBI

Clarence M. Kelley
Director

1 - The Deputy Attorney General (Enc.)
1 - Kansas City (Enc.)
For Information
1 - Bufile 62-115530 (FOI Replies)

RCD:lsh (9)

JUL 25 1973

(See NOTE Page 2)

Assoc. Dir. ____
Asst. Dir.:
Admin. ____
Comp. Syst. ____
Files & Com. ____
Gen. Inv. ____
Ident. ____
Inspection ____
Intell. ____
Laboratory ____
Plan. & Eval. ____
Spec. Inv. ____
Training ____
Legal Coun. ____
Cong. Serv. ____
Corr. & Crm. Research ____
Press Off. ____
Telephone Rm. ____
Director Sec'y ____

MAIL ROOM ☐ TELETYPE UNIT ☐

Letter to Dr. John Nichols

NOTE: We have had substantial correspondence with Dr. Nichols concerning the assassination of President Kennedy. His letter to the Bureau dated 6/8/68 (his sixth) was not acknowledged per memorandum from B. J. White to Mr. Conrad dated 6/13/68.* In this memorandum it was recommended and approved that the Kansas City Office be advised to be most circumspect in future dealings with Dr. Nichols. Kansas City advised in a communication dated 9/25/68, that Dr. Nichols had been critical of the FBI in an address before a local bar association and medical society. Dr. Nichols filed an unsuccessful suit against the United States and the Archivist in which he sought certain FBI Laboratory data. Even though our relations with Nichols have been strained, there is no logical basis to deny his request for prints from our negatives, because these materials were published as Warren Commission Exhibits. (62-109060). Further, there is no basis for referring him back to Archives because they cannot provide him with the first generation prints he seeks. The negatives of the photos taken through the rifle scope are located in a bulky exhibit behind the file at 62-10960-4182. The negative of item 12 listed in his letter is labeled C-148 by the Laboratory and is in their possession. This matter was coordinated with SAs Lyndal L. Shaneyfelt and Cortlandt Cunningham of the Laboratory and SA Darwin M. Gregory of the Administrative Division, who advised 50 cents per print would cover the cost of developing a negative.

* Letter from John Nichols, M. D., Ph. D.
Associate Professor of Pathology
University of Kansas Medical Center
Kansas City, Kansas

RICHARD S SCHWEIKER
PENNSYLVANIA

United States Senate

WASHINGTON, D C 20510

COMMITTEES:
APPROPRIATIONS
JOINT ECONOMIC
LABOR AND PUBLIC WELFARE
SELECT COMMITTEE ON
NUTRITION AND HUMAN NEEDS

July 17, 1973

To: FBI
Congressional Liaison

Please send the following publication(s) to the attention of Marie in my office, 6221 Dirksen Senate Office Building:

FBI five volume report submitted to the Warren Commission on December 9, 1963. This report summarized the investigative results conducted by the FBI of the assassination of John F. Kennedy.

If not available, where can this report be found.

Thank you for your cooperation in this matter.

Sincerely,

62-109060-1090

REC-15

EX-109

Dick Schweiker

Richard S. Schweiker
United States Senator

5 JUL 23 1973

RSS:map

Marie contacted 7-23-73 and referred to National Archives. DWB

File C50-Gen

CORRESPONDENCE

DO JUL 26 1973

THE UNIVERSITY OF KANSAS MEDICAL CENTER
RAINBOW BOULEVARD AT 39TH STREET
KANSAS CITY, KANSAS 66103

SCHOOL OF MEDICINE
DEPARTMENT OF PATHOLOGY AND ONCOLOGY

(913) 831-7070

July 23, 1973

Clarence M. Kelley, Esq., Director
Federal Bureau of Investigation
Washington, D. C. 20535

John F. Kennedy

Dear Mr. Kelley:

Please allow me to thank you for your letter of July 18, advising that you can provide me with 8 x 10 inch glossy prints of certain Warren Commission exhibits and not others. I interpret this to mean that prints are available of all "photographs through rifle scope" which have an exhibit number but not prints from Zapruder frames which do not have an exhibit number.

Enclosed is my personal check payable to the Treasurer of the United States in the amount of $5.50 for the eleven (11) 8 x 10 glossy prints indicated below and calculated at the cost of 50¢ each mentioned in your letter.

Photograph through rifle scope:

	Warren commission Exhibit number	Corresponding Zapruder Frame number
1.	888	161
2.	889	166
3.	890	185
4.	891	186
5.	892	207
6.	893	210
7.	894	222
8.	895	225
9.	902	313

REC-9 62-109060-19K

EX-112 10 AUG 8 1973

Photograph from re-enactment

10.	902	Mr. Zapruder's view from right (not through his camera, but instead from re-enactment camera).

Bullet

11.	573	From General Walker's house

Sincerely,

John Nichols, M.D.
Associate Professor of Pathology

1 - ENCLOSURE

CORRESPONDENCE

Dennis 7/16

REC-9 62-109060-7091

X-112

August 2, 1973

1 - Administrative Div. (Enc.)
1 - Mr. B. J. White
2 - Mr. Mintz
1 - Mr. Dennis

John Nichols, M.D.
Associate Professor of Pathology
The University of Kansas Medical Center
School of Medicine
Department of Pathology and Oncology
Rainbow Boulevard at 39th Street
Kansas City, Kansas 66103

Dear Dr. Nichols:

Your letter of July 23, 1973, in which you enclose a check payable to the Treasurer of the United States for $5.50 has been received.

Enclosed are prints of the photographs listed in your letter.

Sincerely yours,

MAILED 26
AUG 2 - 1973
FBI

C. M. Kelley

Clarence M. Kelley
Director

Enclosures (11)

Assoc. Dir. ____
Asst. Dirs.:
Admin. ____
Comp. Syst. ____
Files & Com. ____
Gen. Inv. ____
Ident. ____
Inspection ____
Intell. ____
Laboratory ____
Plan. & Eval. ____
Spec. Inv. ____
Training ____
Legal Coun. ____
Cong. Serv. ____
Corr. & Com. ____
Research ____
Press Off. ____
Telephone Rm. ____
Director Sec'y ____

1 - The Deputy Attorney General
1 - Kansas City (For Information)
1 - Bufile 62-115530 (FOI Replies)

NOTE: Correspondent requested prints of certain photographs concerning the assassination of President Kennedy in a letter dated 7/3/73. He was advised by Bulet dated 7/18/73, his request would be granted as to those photographs available upon receipt of payment of 50¢ per print. All of the enclosed photographic prints were published in the Warren Commission Report as exhibits. It is recommended the enclosed check be handled in an appropriate manner by the Administrative Division.

54 AUG

RCD:lsh (10)

MAIL ROOM ☒ TELETYPE UNIT ☐

FORWARDED

AUG 15 1 16 PM '73

PATHOLOGY & ONCOLOGY
UNIV. KANSAS MED. CENTER

At the invitation of members of
the sophomore medical school class

JOHN NICHOLS, M. D.,

will discuss his current research into

The ASSASSINATION of FORMER PRESIDENT
JOHN F. KENNEDY

Wahl Hall East Auditorium
August 21, 1973
7:30 PM

62-109060-7092

ENCLOSURE

THE UNIVERSITY OF KANSAS MEDICAL CENTER
RAINBOW BOULEVARD AT 39TH STREET
KANSAS CITY, KANSAS 66103

SCHOOL OF MEDICINE
DEPARTMENT OF PATHOLOGY AND ONCOLOGY

(913) 831-7070

August 15, 1973

Clarence M. Kelley, Esq.,
Director, Federal Bureau
of Investigation, Washington 20535

Dear Mr. Kelley:

Please allow me to thank you for your letter of August 2, 1973, and for forwarding the photographs so promptly.

As you may know I have been interested in the assassination of the late President Kennedy for the past several years.

I will give an informal lecture on my findings on August 21, in our Wahl Hall East Auditorium and should be quite happy if any of your agents should attend. They need not identify themselfs although I would be quite happy to meed anyone you would ask to attend.

Sincerely,

EX-109

John Nichols

John Nichols, M. D.
Associate Professor
of Pathology

ENCLOSURE

Enclosure: 1

REC-8 62-109060-7092

3 AUG 17 1973

57 AUG 23 1973

SEVEN

UNITED STATES GOVERNMENT

Memorandum

TO : MR. WALSH

DATE: August 22, 1973

FROM : D. J. GREEN

SUBJECT: ASSASSINATION OF PRESIDENT JOHN F. KENNEDY

On 8/21/73, Mr. Joseph Gloystein, of the General Government Group, General Accounting Office, (telephone 129-4933) requested the cost of FBI investigations arising out of the assassination of President John F. Kennedy, as well as the cost of any work performed for the Warren Commission. Mr. Gloystein said this information was being requested in connection with some research his group is doing to respond to an inquiry from several Congressmen as to the security afforded to past Presidents. I advised Mr. Gloystein I would determine what data could be made available to him and let him know.

We did not cost either the investigations arising out of the assassination or the work for the Warren Commission. No record was made of the number of agent days expended on these matters and without the number of agent days, it is impossible to prepare an estimate of FBI costs.

Back in 1964, the Commission requested the FBI to furnish some data indicating the extent of our excellent investigative effort so that this could be included in the Commission's final report.

The Honorable J. Lee Rankin, General Counsel to the Commission, by letter of 8/12/64, was advised that as of 7/31/64, the FBI had submitted over 1,750 investigative reports, comprising over 17,200 pages. In addition, almost 3,700 items of physical evidence were examined by the Laboratory and exhibit experts constructed detailed scale models of the assassination site and the garage at the Dallas, Texas, City Jail.

In a letter dated 9/3/64, Mr. Rankin was advised that FBI personnel had conducted some 25,000 interviews in connection with investigations arising out of the assassination. We also pointed out that these interviews were conducted by personnel in the 56 continental field offices being operated at that time, as well as by our representatives abroad.

62-109060-7093

REC 44

3 AUG 29 1973

OVER

1 - Mr. Gebhardt

DJG:sch (3)

59 SEP 5 1973.

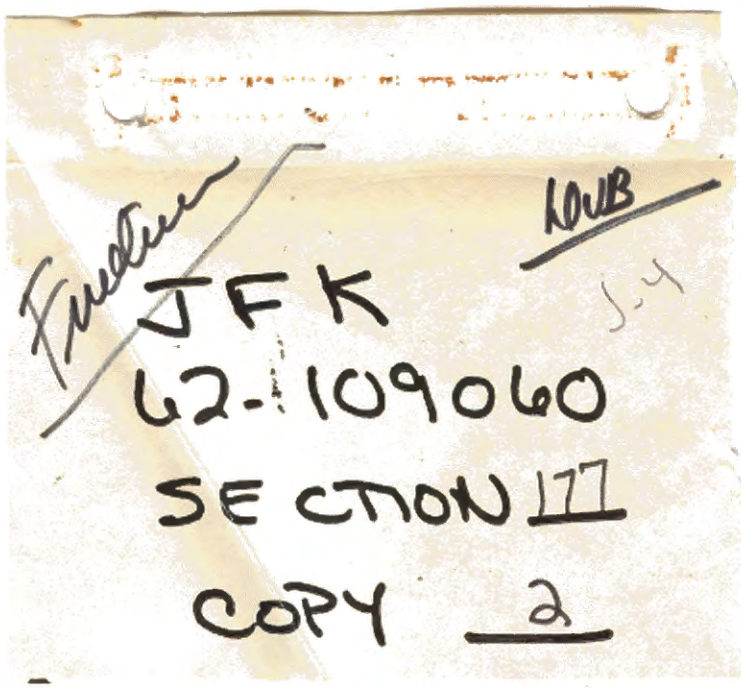
Memorandum D. J. Green to Mr. Walsh
Re: Assassination of President John F. Kennedy

Mr. Hoover, during testimony on 3/4/65, in connection with the 1966 appropriation request, mentioned the FBI had conducted some 25,000 interviews in matters arising out of the assassination.

RECOMMENDATION:

That I be authorized to contact Mr. Gloystein, advise him the FBI did not tabulate cost data relative to investigative effort arising out of the Kennedy assassination and offer him the information previously furnished to the Warren Commission.

Handled 8/23/23 JFK


JFK
62-109060
SECTION 177
COPY 2

THIS SERIAL HAS BEEN REFERRED TO ANOTHER AGENCY AND IS IN A PENDING STATUS.

FILE NO. 62-109060

SERIAL NO. 7094

PAGE NO. 1-3

NO. OF PAGES 3

SECTION NO.

177

DOJ

REFERRAL

ELR:RGD:DRE:sew

cc:

AUG 21 1973

Mr. Paul L. Hoch
1735 Highland Place, Apt. 25
Berkeley, California 94709

Dear Mr. Hoch:

This is in response to your letter of June 14, 1973, appealing the denial of your request for a FBI memorandum dated September 10, 1964.

Upon careful consideration I have concluded that the decision of Acting Director William D. Ruckelshaus should be affirmed. As he pointed out, the memorandum is specifically exempted from disclosure by the seventh exemption of the Freedom of Information Act, 5 U.S.C. 552(b)(7), as an investigatory file compiled for law enforcement purposes. This memorandum was the product of an investigation by the FBI into possible violations of federal law, and its release could jeopardize that investigative process.

REC-8 62-109060-7094

Furthermore, this memorandum also is exempted from disclosure by the sixth exemption, 5 U.S.C. 552(b)(6) which exempts "personnel and medical files and similar files the disclosure of which constitute a clearly unwarranted invasion of personal privacy." This memorandum contains information in the nature of a "similar file" which, if released, would constitute just such a "clearly unwarranted invasion of personal privacy."

Sincerely,

Elliot L. Richardson

Elliot L. Richardson
Attorney General

Assoc. Dir.
Asst. Dirs.
Admin.
Comp. Syst.
Files & Com.
Gen. Inv.
Ident.
Inspection
Intell.
Laboratory
Plan. & Eval.
Spec. Inv.
Training
Legal Coun.
Cong. Serv.
Corr. & Crim. Research
Press Off
Telephone

EXP-PROC

AUG

ENCLOSURE

SEP 27 1973

AUG 22 1973

FD-36 (Rev. 5-22-64)

FBI

Date: 9/25/73

Transmit the following in _____ (Type in plaintext or code)

Via AIRTEL (Priority)

Assoc. Dir.	
Asst. Dir.:	
Admin.	
Comp. Syst.	
Ext. Affairs	
Files & Com.	
Gen. Inv.	
Ident.	
Inspection	
Intell.	
Laboratory	
Plan. & Eval.	
Spec. Inv.	
Training	
Legal Coun.	
Telephone Rm.	
Director Sec'y	

TO: DIRECTOR, FBI (62-109060)

FROM: SAC, DALLAS (89-43)(P*)

SUBJECT: ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY
DALLAS, TEXAS
11/22/63
MISCELLANEOUS - INFORMATION CONCERNING

CO: Dallas

On 9/24/73 SA ROBERT P. GEMBERLING of the Dallas Office received a "CTIA Newsletter" addressed to him as "Robert P. Gemberling, FBI - Dallas Field Ofc.,200 Mercantile Cont'l Bldg., Dallas, Texas 75201". The "CTIA Newsletter" is a publication of the Committee To Investigate Assassinations, 1520 16th Street, N.W., Suite 101, Washington, D.C., 20036, telephone 202-232-1152.

This newsletter indicated the Committee To Investigate Assassinations was holding a two-day conference on November 23 and 24, 1973, at Georgetown University to be presented jointly by the committee and the University. It indicated that it was expected to attract as speakers and panelists a large number of experts representing diverse views on the several cases, referring to the assassinations of President JOHN FITZGERALD KENNEDY, Senator ROBERT F. KENNEDY, MARTIN LUTHER KING and the shooting of Governor GEORGE WALLACE.

REC-52 62-109060-7095

This news letter enclosed a registration blank and stated that arrangements for the conference are being made by a Ms. ANDREA WYATT of CTIA.

EX-108

22 SEP 28 1973

(2) - Bureau
1 - Dallas
RPG:jls

7006 4191 g 216

6-11M

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

U. S. GOVERNMENT PRINTING OFFICE : 1969 O - 346-818

DL 89-43

This newsletter was signed "BERNARD FENSTERWALD, JR., Executive Director".

The Bureau is aware of the existence of the Committee To Investigate Assassinations.

SA GEIBERLING is not acknowledging receipt of the CTIA Newsletter and does not plan to attend the conference.

The above is for the information of the Bureau.

Clarence M. Kelly, Director
Federal Bureau of Investigation
Washington, D. C.

Oct. 4, 1973

Dear Mr. Kelly:

I read an article in the morning paper that was rather sad. Oswald's 12 year old daughter told her classmates that her daddy was the one who had killed President Kennedy. This was the truth but perhaps not the whole truth.

I won't go into the past 6 years efforts to get someone to evaluate the enclosed theory except to say that I have written letters to men on the Warren Commission, Congressmen, Senators, Governors and Presidents and to many of the leading magazines without any reaction.

In about 6 weeks, it will have been ten years since Kennedy was killed. It took me about two weeks to set up the reinactment as shown in the pictures. If I would have been able to use a military base, a tank to move the target along at 11.2 mph, and a group of qualified marine riflemen, I could have accomplished it in two days. 62-109060-7896

In my opinion, the American people have never lost faith in the integrity of the F.B.I. Furthermore, I believe you could restore much of the confidence they have lost in the rest of the Government.

My bill at the photo studio has been rather oppressive during the last few years. So I have enclosed a self-addressed envelope in case this theory may not seem probable to you. However, let me make this offer. If you should happen to take some pictures of a similar reinactment between now and Nov. 22, 1973, I'll swap you mine for yours. Does that sound fair?

OCT 12 1973

Respectfully yours

Wm G. Northrup
3123 Platt Road

REGISTERED
NO. 5-59

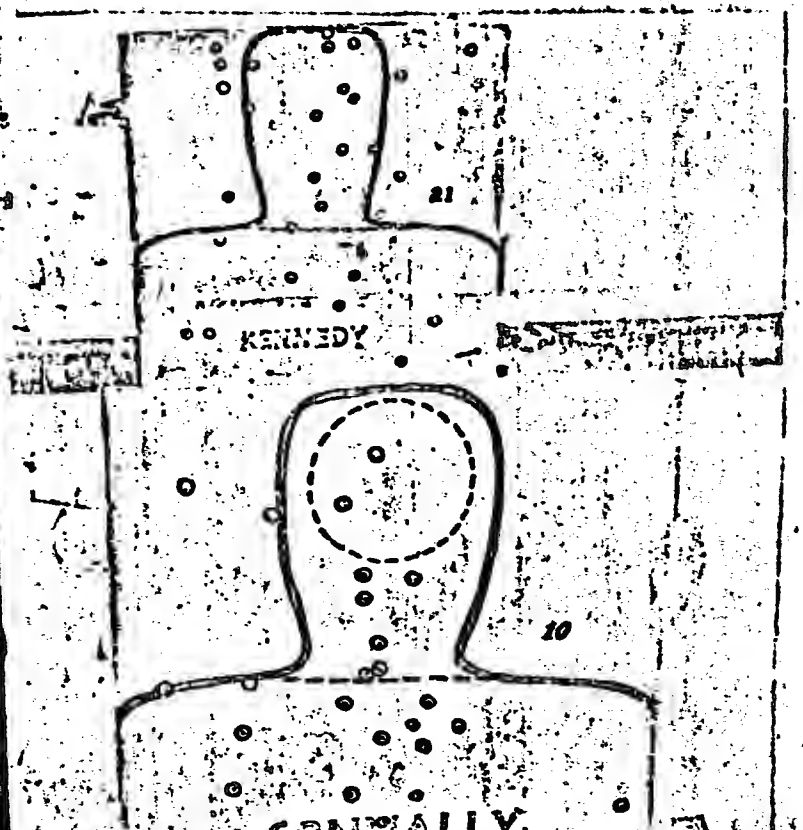
The sad part of it, Oswald was given this dishonorable discharge for something that happened after he was honorably discharged from the Marines.

Oswald had written to Connally and told him, "I will employ all means to right this gross mistake!"

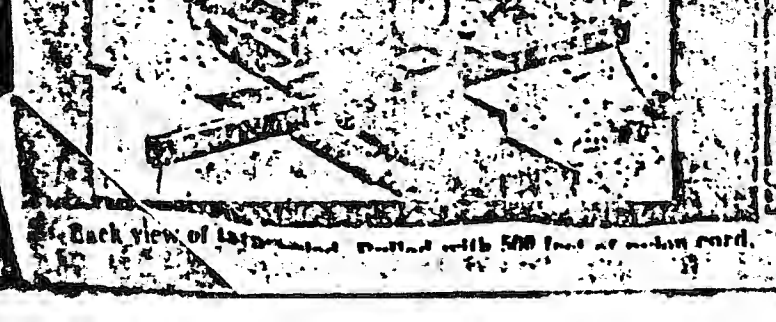
Oswald's wife, Marina, tried to tell the Warren Commission that her husband killed Kennedy by mistake, he was after Connally, but they ignored this.

Bill Northrup, Local 369, supervised this simulated reenactment. After trying for several years to convince Washington that this might solve the Dallas mystery, he has come to the conclusion that Washington would just as soon forget about it.

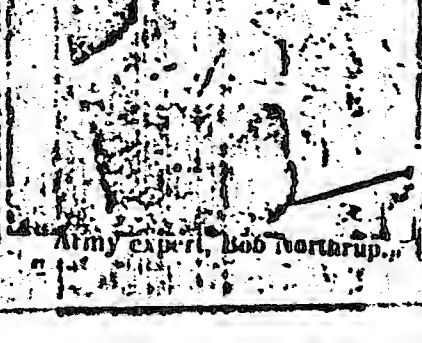
Most of the men who were on the Warren Commission are still in office. This simple solution would be highly embarrassing to their intellect.



Front view of target, showing results.



Back view of target. Pulled with 500 foot nylon cord.



Army expert, Bob Northrup.

feel that those would be only of a temporary nature and we would then get back to a free economy where the play of the market place would control not only prices, but would control wages, too, by the natural forces that are present in a free economy."

NO OPTIMISM

Meany said that he "didn't see how anyone can look at the overall picture with anything resembling optimism."

"To me," he said, "We are facing economic disaster in this country at the present time unless there are some changes of policy." He said high interest rates and the decline of home building were major factors in the recession threat.

Looking back, Meany chat-

Electrical Union Sweeps Vote

MIDLAND, Mich.

International Brotherhood of Electrical Workers, Local 876 has won the right to bargain for technicians, technician trainees, underground installers, stockroom keepers and maintenance employes of Gerity Cablevision at their Midland and Essexville locations.

The union scored a 9-0 sweep in a collective bargining election among the workers conducted by the National Labor Relations Board.

Name Copeland to Safety Body

LANSING

Gardner Copeland, Taylor, has been appointed by the Occupational Safety Standards Commission to membership on an advisory committee for derricks and crawler, locomotive and truck cranes.

Legal Servi... Wins Okay

WASHIN...

Congress gave fin... proval to a bill that w... low unions and manag... to negotiate a new ... benefit — prepaid leg... vices when needed ... worker or his family.

The labor-proposed ... tion was needed to ov... technicalities in the Taf... ley Act which limits th... of fringe benefits that ... financed by employer pa... and administered jointly ... ion and management tr...

The legislation had th... port of the American B... sociation as well as the ... movement, and the Ad... tration remained neutral ... issue. But it was fought ... substantial bloc of Hous... servatives who sought ... strict the type of legal ... ices plan that could be ... ated.

As with other fringe ... fits, the legislation does n... quire adoption of a legal ... ices plan; it merely perm... jointly-administered plan ... negotiated at the barg... table.



FROM AUG. ISSUE OF HURON VALLEY LABOR COUNCIL NEWSPAPER, OF WHICH I AM EDITOR.

MR KELLY, WHAT EVER YOUR REACTION MAY BE YOU MAY KEEP THESE THERMO-FAX COPIES IF YOU LIKE.

ED J. [illegible]

[redacted] TO DO ALONG WITH MARINA

There were really three probabilities [redacted] Kennedy's death: (1) The Warren Commission's conclusion that Oswald acted alone with intent to kill Kennedy. (2) The conclusion of others that there was a conspiracy to kill Kennedy. (3) The third one was more of an intuition, because Oswald hated Connally (concerning an honorable discharge he had earned which was later changed to dishonorable) and because he had written to Connally and said in so many words, "You are ruining my life. You right this or else!" It was Marina Oswald's first thought that her husband was trying to kill Connally.

Relevent to the first two conclusions, there are a few pieces of the puzzle that don't seem to fit in. Concerning the Warren Commission's conclusion) where was the motive? Concerning the other conclusions, where was their (the conspirators) motive? And why has not one honest shred of evidence ever been turned up that might link Oswald with others in a conspiracy? Concerning both conclusions we know that Oswald had previously plotted to kill General Walker but his shot missed. However, he kept his cool and got away clean. How did he react in his second attempt? He ran around Dallas like a mad man leaving no less than ten pieces of convicting evidence littering his frenzied trail until he made his last, final mistake that led to his being picked up as a suspect. It's against the law to barge into theaters without first buying a ticket. So the last question- what caused him to go beserk Nov. 22, 1963? Did something unexpected happen? It must have been something terrible because he was terribly shook-up.

In deductive logic, of all the criteria, coherence most adequately meets the demands of truth. Your puzzle must fit together, each piece must interlock and reinforce the intergrated whole and you can't have any loose pieces left lying around.

Reinforcing Marina's thoughts! Her husband's I.Q. tests revealed that although he was above average in general intelligence, he was below average in mathematics. Assuming that somehow he had known the speed the Presidential car would be traveling, would he have been able to compute that to hit a specific target in that car would necessitate holding about three feet ahead? Even some expert riflemen haven't figured this out. As one of them who testified in the Warren Report states, "An easy shot. . . . an almost stationary target while he was aiming in, very little movement if any." Really?

Also, having qualified as a sharpshooter in the Marines, Oswald was a better than average rifleman (stationary targets) But he was a poor hunter, (moving targets) As an ex-Marine myself, I recall my instructor teaching me to zero in where I intended to hit. This becomes instinctive. Was Oswald taught any different?

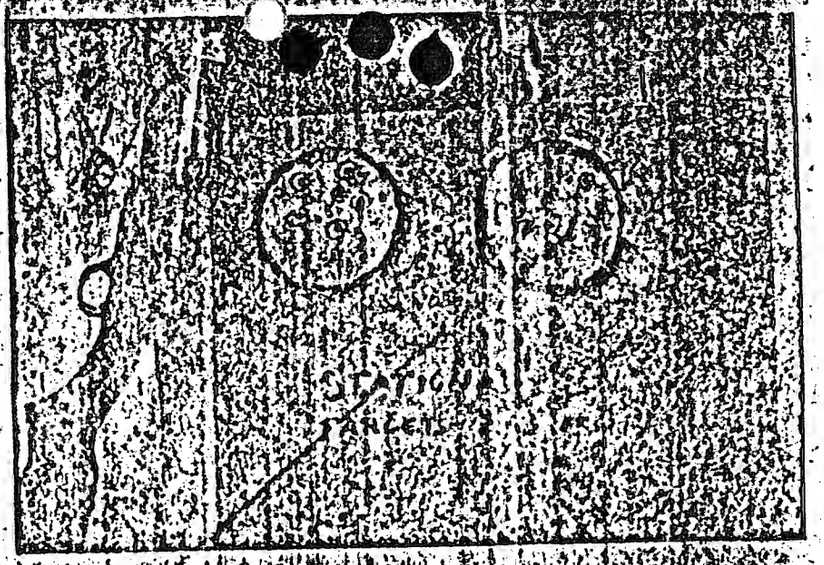
To make a long story short, feeding the known facts (that have been ignored) into a computer shows that Oswald's cross-hairs were focused on Connally's head when he was firing. So I got a group of competent riflemen together New year's morning (Jan. 1, 1968) and these pictures are the result. On the back of the silhouette which represented Connally (3½ feet in front of the one representing Kennedy, was the five inch bulls-eye that the riflemen were trying to hit. Incidentely, these riflemen were all better than average hunters. To induce them to put forth their best effort, I offered $1.00 for each bulls-eye (they paid me a dime for each miss.) This paid for the ammunition.

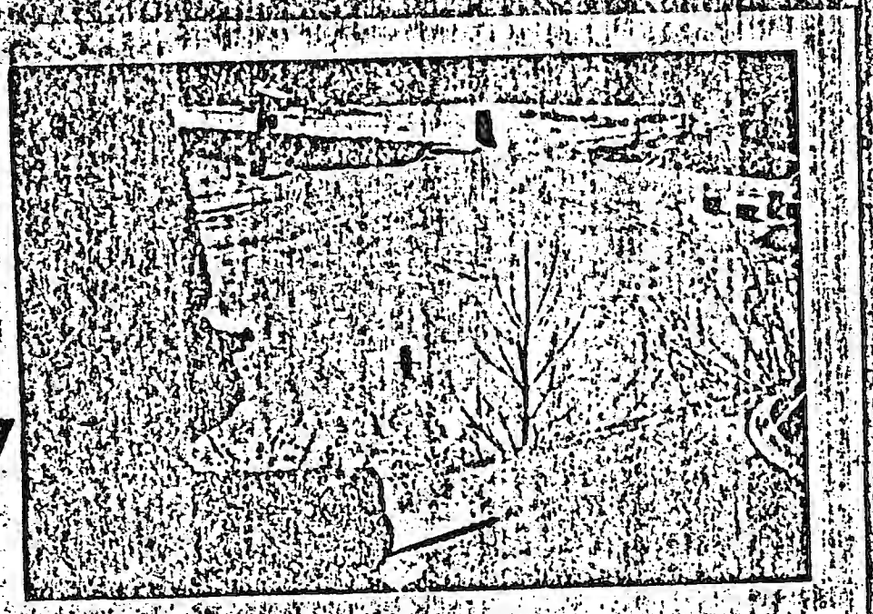
We used a ski sled pulled with a jeep, 250 feet of nylon rope using a pulley to keep the jeep well out of the firing area. The rifle used was a 22 Magnum Special (2000 F.P.S.) Oswald's rifle was a little faster, 2160 F.P.S. To compensate for this, we fired at adjusted distances so that the time intravel (target movement) was the same as it was in Dallas. I'd like to thank the six riflemen who braved that sub-zero weather and also Mr. Dave Killins who let us use his gravel pit.

As the targets show, there were two bulls-eyes plus 8 more hits in the area of Connally's head. There were 21 hits in the area of Kennedy's head.

Wm O. Northrup

A few practice shots got the rifle and men were sure that the rifle was hitting true. They had no trouble whatsoever hitting this 5" bulls-eye at 88 yards with a four power scope. When it wasn't moving

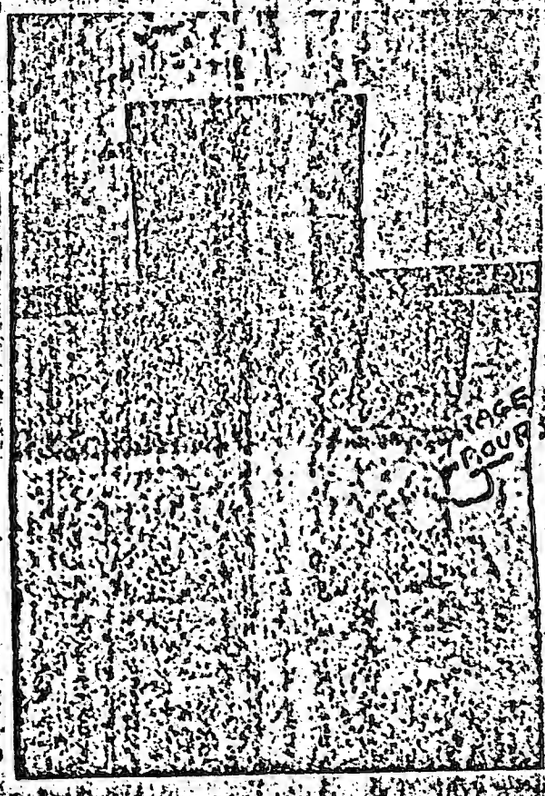




Looking over the shoulder of an Ex Army Sargeant who qualified as an Expert with both the carbine and the M-1. He's ready to start firing as soon as I give him the word (when the target gets to the correct position)

The results. Fifty shots were fired, apparently a few of them missed the target altogether. So, Oswald missed a fair sized car with one of his shots!

These riflemen are all real inquisitive. They'd like to see what a group of sharp-shooters (with about Oswald's hunting experience) would do on this particular shot. So would I. My wife, Marina, myself and I've got a feeling a certain mail down in New Orleans might be just a little curious too. Cause this would cast some serious doubts as to who he, Mr. Clay Shaw, (and his fellow conspirators) meant to kill. As the truth will point out, Mr. Connally was the intended victim and will pose a problem. The rest of this so-called gang of assassins have had several years to finish their intent and I haven't heard of too many pop-shot being taken at Mr. Connally recently



I decided to add another page.

Three factors add up to make this [illegible] shot a bit tricky.

(1) As Mr. Newton set forth, "For every action - an equal and opposite reaction." What happens to the upward movement of a rifle when counter-acting pressure is applied to fire the trigger?

(2) The components involved in this shot:

(a) Scope sighting - eye alignment.
(b) " " - correct distance of eye from eyepiece
(c) Cross hairs - horizontal alignment.
(d) " " - vertical alignment.
(e) Keep that barrel bomming up - up - up
(f) Maintain correct lead
(g) The most critical factor, a smooth s-q-u-e-e-z-e-
Most shooters say the reason they miss - concentrating on
(g), their overloaded brain forgets (e)

(3) A little 8th grade mathematics:

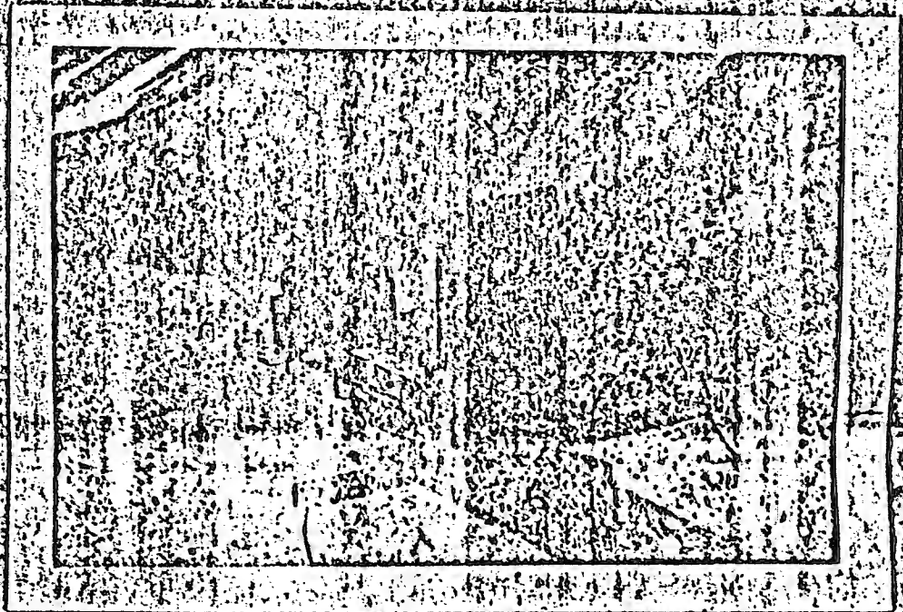
Car was traveling 11.2 m.p.h. = 16.426 f.p.s.
Average bullet velocity = 2,014 f.p.s.
Distance bullet traveled (fatal shot) = 265.3 ft

265.3 ÷ 2014 = .1312 sec. (for bullet to reach car)
.1312 x 16.426 = 2.163 ft. (car movement)

Adding them up:

For every action... (varying with indfyidual) ??"
Overloaded brain (varying with indfyidual) ??"
8th grade mathematics (this we know) 2' 2"
Distance average person would shoot behind
if aiming where he intended to hit - - - - 2' 2" + ??

(I would estimate this norm would be about 3 1/2 feet)



Here's a picture of the target as it looked to the riflemen. I purposely dabbed it with a felt pen so that the shooters would not be able to see where they were hitting. I wanted instinctive shooting. This picture was taken Christmas Day but no one showed up. Targets got wet, made another set for Jan 1.

1 REC 43 62-109060-7096

October 12, 1973

Mr. William G. Northrup
3123 Platt Road
Ann Arbor, Michigan 48104

Dear Mr. Northrup:

This is to acknowledge receipt of your letter and enclosures received on October 9th. In reply to your communication, the results of the investigation conducted by the FBI with respect to the assassination of President Kennedy were factually reported to the Warren Commission.

The results of our inquiries were subsequently made available to the National Archives by the Warren Commission and the FBI has no further information it can furnish you regarding this matter and does not contemplate conducting any further investigation. I am returning your enclosure as you requested.

MAILED 9
OCT 12 1973
FBI

Sincerely yours,

C. M. Kelley

Clarence M. Kelley
Director

Enclosure
Correspondent's Enclosure

NOTE: No record of correspondent in Bufiles. Self-addressed, stamped envelope, which correspondent provided, used in reply.

rkk:rlm (3)

MAIL ROOM ☐ TELETYPE UNIT ☐

5 OCT 18 1973

U.S. Dept. of Justice
Federal Bureau of Investigation
62-CO 9060-7097
Washington, D.C. 20535

Thomas Christopher Goolsby
4126 Walrad Street
Baltimore, Maryland 21229

9/23/73

Dear Sirs John F. Kennedy

I guess that at this time of the year you receive many letters requesting information on the death of John Kennedy. I am sorry if I have sent you at an inopportune time, but I really would

REC-103

appreciate any material
which you could supply
on the assassination of JFK
for a school report

Thank you very much,

Sincerely

Thomas C. Hartley

REC-103 62-109060-7097

November 29, 1973

Thomas C. Goolsby

Mr. Thomas Christopher Goolsby
4126 Walrad Street
Baltimore, Maryland 21229

Dear Mr. Goolsby:

With respect to the request in your letter of November 23rd, at the request of President Johnson, the FBI conducted investigation regarding the assassination of President Kennedy and furnished the results of our inquiries to the President's Commission on the Assassination of President Kennedy. The Commission published its findings and included FBI data in its report. Perhaps a copy of this will be available in your local library.

MAILED 9
NOV 29 1973
FBI

Sincerely yours,
C. M. Kelley

Clarence M. Kelley
Director

NOTE: Correspondent is not identifiable in Bufiles.

rkk:slr (3)

Assoc. Dir. ____
Asst. Dirs. ____
Admin. ____
Comp. Syst. ____
Ext. Affairs ____
Files & Com. ____
Gen. Inv. ____
Ident. ____
Inspection ____
Intell. ____
Laboratory ____
Plan. & Eval. ____
Spec. Inv. ____
Training ____
Legal Coun. ____
Telephone Rm. ____
Director Sec'y ____

31

5 DEC - 4 1973

MAIL ROOM ☑ TELETYPE UNIT ☐

THE UNIVERSITY OF KANSAS MEDICAL CENTER
RAINBOW BOULEVARD AT 39TH STREET
KANSAS CITY, KANSAS 66103

SCHOOL OF MEDICINE
DEPARTMENT OF PATHOLOGY AND ONCOLOGY

(913) 831-7070

November 24, 1973

Clarence M. Kelley, Esq., Director
Federal Bureau of Investigation
Washington, D. C. 20535

Re: Artifacts of the
Warren Commission

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Legal Coun.
Telephone Rm.
Director Sec'y

Dear Mr. Kelley:

Please allow me to thank you for sending me the requested prints of C E 894 and C E 902. In the case of C E 573, prints of which you previously sent, I should like to ask two negatives of this exhibit as indicated:

(a) one negative with the exhibit (C E 573) placed on the white background with the metric scale in position as in the submitted sketch, and,

(b) one large color transparancy for binding into a 3 x 4 inch slide, to be taken on the green background above the metric scale as in the attached sketch.

Turning to C E 399, now in custody of the Archivist, you will recall this as the bullet alleged to have also injured Governor Connally. While being photographed in January 1967 a very minute flake of metal fell from the base. The archivist now has this stuck onto a piece of "Scotch" tape and has previously taken a picture of it for me with a micron scale which I forwarded to him in the picture for comparison. Unfortunately the resultant picture is quite poor. I believe the F B I have better facilities for photographing such small objects of evidence.

Enclosed is a Xerox® copy of a letter of May 17, 1972, to me from the Archivist, Dr. James B. Rhoads, in which he advises that he would send the requested flake to the F B I for my requested photographs if the F B I would agree to make the exposures. I should like to ask if you would permit your laboratories to use their superior equipment and take for me black - white negatives and color transparancies of this flake from C E 399 lying on a postage stamp as background and also exposures with an appropriate metric scale in the field. If so please advise me so I can remit the correct sum for these services.

62-107060
RECAP
1516
NOV 26 1973

Sincerely,

ENCLOSURE

UNITED STATES OF AMERICA

GENERAL SERVICES ADMINISTRATION

National Archives and Records Service

Washington, DC 20408

MAY 17 1972

Dr. John Nichols
School of Medicine
Department of Pathology and Oncology
The University of Kansas Medical Center
Rainbow Boulevard at 39th Street
Kansas City, Kansas 66103

MAY 22 11 16 AM '72
PATHOLOGY & ONCOLOGY
UNIV. KANSAS MED. CENTER

Dear Dr. Nichols:

This is in reply to your letter of April 29, 1972, concerning records of the President's Commission on the Assassination of President Kennedy.

We are referring a copy of your letter to the Department of Justice. If the FBI wishes to take the requested photographs of the flake of metal that fell from the base of the bullet (Commission Exhibit 399) involved in the assassination while the bullet was being photographed in the National Archives, we shall be pleased to make the flake of metal available to the FBI Laboratory for that purpose.

FBI Item No. D-192 consists of photographs taken during the autopsy of Lee Harvey Oswald. These photographs are not security classified, but they are duplicates of the autopsy photographs in Commission Document 557. This document is withheld from research at the request of the Department of Justice under Guideline 3B. The photographs in FBI Item No. D-192 are therefore also withheld as "personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy" (5 U.S.C. 552, subsection (b) (6)) of the family of Lee Harvey Oswald.

FBI Item No. D-198, which consists of a photograph of a letter and an envelope, is the only other item listed in 31 Federal Register 13968-13974 that is withheld from research. A duplicate of this photograph is part of Commission Document 1107 and with other parts of that document is withheld from research at the request of the Department of Justice under Guidelines 3B and 3C as part of "investigatory files compiled for law enforcement purposes except to the extent available by law to a party other

62-109060-

62-109060-7097X

December 4, 1973

REC-47 62-109060-7097X

Ex. 104

John Nichols, M.D.
Associate Professor of Pathology
Department of Pathology and Oncology
School of Medicine
The University of Kansas Medical Center
Rainbow Boulevard at 39th Street
Kansas City, Kansas 66103

Dear Dr. Nichols:

This is to acknowledge receipt of your communication dated November 24th, with enclosures.

Although I would like to be of aid, FBI Laboratory personnel conduct examinations and technical services only for duly authorized law enforcement and other Government agencies. Consequently, we are unable to prepare the photographs you requested. I hope you will understand our position.

I am returning your enclosures herewith.

Sincerely yours,

C. M. Kelley

Clarence M. Kelley
Director

MAILED 9
DEC 4 1973
FBI

Enclosures (2)

1 - Kansas City - Enclosure

NOTE: Correspondent requests that certain evidentary material be photographed by the FBI Laboratory in connection with his study of the assassination of President Kennedy. We have had substantial correspondence with Dr. Nichols concerning the assassination of President Kennedy and our dealing with him have been circumspect. Dr. Nichols filed an unsuccessful suit against the United States and the Archivist in which he sought certain FBI Laboratory data dealing with the assassination. On August 2, 1973, he was furnished certain photographs which he had requested in connection with the assassination of President Kennedy.

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Director Sec'y ___

JAN 14 1975

MAIL ROOM ☐ TELETYPE UNIT ☐

Dec. 7, 1973

Dear Sirs:

I am greatly interested in collecting information on John F. Kennedy and Robert F. Kennedy. If you have any books, pamphlets, pictures or anything that you could send to me would be greatly appreciated. Also, if you have any information on Lee Harvey Oswald, and Jack Ruby the two figures in John F. Kennedy's assassination that you could send to me would also be greatly appreciated. My name

John F. Kennedy Jr.

REC-29 62-109060-7098

12 DEC 12 1973

NOT RECORDED

and address are below. Thank-
you very much.

Sincerely

Jim Hoganson
701 Burnhamthorpe Road
Unit 102
Etobicoke, Ontario
Canada

The Federal Bureau of Investigation
9TH and Constitution, N.W.
Washington D.C
U.S.A.

REC-29 62-109060-7098

December 12, 1973

104

Mr. Jim Hoganson
701 Burnhamthorpe Road
Unit 102
Etobicoke, Ontario, Canada

Dear Mr. Hoganson:

I have received your letter of December 7th and, with respect to your request, the FBI has no information available for distribution regarding your topics of interest.

At the request of President Johnson, the FBI conducted investigation regarding the assassination of President Kennedy and furnished the results of our inquiries to the President's Commission on the Assassination of President Kennedy. The Commission published its findings, together with information concerning Lee Harvey Oswald and Jack L. Ruby, and included FBI data in its report. Perhaps a copy of this will be available in your local library.

Sincerely yours,

Clarence M. Kelley
Director

NOTE: Correspondent is not identifiable in Bufiles.

jkb:nlm (3)

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Director Sec'y ___

United States Senate

December 4, 1973

Mr. David Blaess
22 Library Place
Edison, N. J. 08817

Respectfully referred to
Congressional Liaison Office
Federal Bureau of Investigation - Dept. of Justice
Washington, D. C. 20530

for such consideration as the communication herewith submitted may warrant, and for a report thereon, in duplicate to accompany return of inclosure.

By direction of

Clifford P. Case

U. S. S.

CPC/mew

62-109060-71A

ENCLOSURE

21 DEC 7 1973

EX-PROC

DEC 7 1973

CORRESPONDENCE

nov 21, 1973

Dear Mr Clifford Case,

I'm not stating whether this is true or not but my school-teacher said the F.B.I. found out why + how John F. Kennedy died. It is also stated that the papers that proved this was not to be revealed until a hundred years from now. If its not to much trouble please tell me whether it's true or not.

Thank You

Paul Blazo

address
22 Library Pl
Edison NJ.
08817

P.S. Please write back

ENCLOSURE
62-109060-7100

December 13, 1973

REC-57 62-109060-7100

Honorable Clifford P. Case
United States Senate
Washington, D. C. 20510

Dear Senator Case:

Your communication of December 4th enclosing correspondence from your constituent, Mr. David Blaess, has been received.

With respect to his inquiry, I can tell you that the FBI, at the direction of President Johnson, conducted a prompt, intensive, objective and thorough investigation of the assassination of President Kennedy. The results of this investigation were accurately reported to the Warren Commission and all available evidence and facts point to one conclusion--that Oswald acted alone in his crime.

We furnished the results of our inquiries to the President's Commission on the Assassination of President Kennedy. The Commission published its findings and included FBI data in its report. Perhaps a copy of this document would be available to your constituent at his local library.

As you requested, your enclosure is returned herewith.

Sincerely yours,

C. M. Kelley

Clarence M. Kelley
Director

RECEIVED
DEC 13 1973
FBI

Enclosure
1 - Newark - Enclosures (2)
1 - Congressional Services Office - Enclosures (2)

NOTE: Bufiles contain no record of David Blaess and reveal prior cordial relations with Senator Case (R-New Jersey).

RCD:mks (5) DEC 13 1973

MAIL ROOM ☑ TELETYPE UNIT ☐

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Spec. Inv.
Training
Legal Coun.
Telephone Rm.
Director Sec'y

Sao Paulo, 26 November 1973.

To

Federal Bureau of Investigation

Washington, D. C. 20535, U.S.A.

Gentlemen,

I want require to you some informations and photos about the president John F. Kennedy's assassination.

Unfortunately, USIS in Brasil can not attend me.

In the hope that attention will be given to my letter,

I am sincerely yours,

Wagner Lopes D' Almeida

Wagner Lopes D' Almeida FX-117

Av. Casa Verde 135

02519:Sao Paulo

Capital Brasil

REC-57 62-109060-7101

14

8 DEC 12 1973

ENCLOSURE

CORRESPONDENCE

Boas festas
e feliz ano novo

I wish to you and
your family a very
good Christmas day
and a happy 1914.

[signature]

62-109060-7101

ENCLOSURE

1 -
LLC-57.

62-109060-7101

December 11, 1973

AIRMAIL

FX-117

Mr. Wagner Lopes D'Almeida
Av. Casa Verde 135
Sao Paulo, Brazil 02519

Dear Mr. D'Almeida:

Thank you for remembering me at this season of the year and may your holidays be filled with happiness.

In response to the request in your communication of November 26th, I am sorry we cannot be of assistance to you as we do not have any photographs or information regarding the assassination of President Kennedy available for distribution. The results of our investigation were given to the Warren Commission. This Commission subsequently published a report which includes some information and photographs we furnished. You may purchase a copy of this report from the Government Printing Office, Washington, D. C. 20402. The paperback edition is $2.50 and the hard cover volume is $3.25. Checks or money orders should be drawn payable to the Superintendent of Documents since C.O.D. orders will not be accepted.

Sincerely yours,

C. M. Kelley

Clarence M. Kelley
Director

MAILED 8
DEC 11 1973
FBI

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Legal Coun. ____
Telephone Rm. ____
Director Sec'y ____

NOTE: Correspondent is not identifiable in Bufiles.
mn:cmc (3)

cmc

RKF 6/17

57 DEC 21 1973

MAIL ROOM ☑ TELETYPE UNIT ☐

THE UNIVERSITY OF KANSAS MEDICAL CENTER
RAINBOW BOULEVARD AT [illegible]TH STREET
KANSAS CITY, KANSAS 66103

SCHOOL OF MEDICINE
DEPARTMENT OF PATHOLOGY AND ONCOLOGY

December 3, 1973

Clarence M. Kelley, Esq., Director,
Federal Bureau of Investigation
Washington, D. C. 20535

Re: Records and Artifacts of
the Warren Commission

Dear Mr. Kelley:

Further to my letter to you of November 24, 1973, in which I asked that you take some special pictures for me of CE 573 and some special picutres of a flake of metal fallen from CE 399 and now in custody of the Archivist.

Enclosed is a reprint of my only paper on the assassination entitled "Assassination of President Kennedy" as it appears in the current November issue of The Practitioner 211:625-633, 1973. In this on page 632 you will notice the print of CE 895 you kindly provided to me.

Now, I should like to ask you to tell me the results of the neutron activation studies on the several fragments mentioned by Mr. Hoover in his letter to Mr. Rankin of July 8, 1964. Also, I should like to learn when these studies were done, by whom, and where. Shall look forward to hearing from you,

62-109060
NOT RECORDED
152 DEC 26 1973

1 ENCLOSURE

Sincerely,

John Nichols

cc: Xerox copy of letter from
Hoover to Rankin, July 8, '64.
Reprint indicated supra.

NOT RECORDED
152 DEC 26 1973

UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

WASHINGTON 25, D.C.

ASSASSINATION OF PRESIDENT KENNEDY

By JOHN NICHOLS, M.D., PH.D., F.A.C.P.



Reprinted from *The Practitioner*

November 1973

Published by THE PRACTITIONER, 5 Bentinck Street, London W1M 5RN, and printed in England by F. J. Parsons Limited, London, Hastings and Folkestone

ENCLOSURE

62-109060-

ASSASSINATION OF PRESIDENT KENNEDY*

By JOHN NICHOLS, M.D., PH.D., F.A.C.P.
Associate Professor of Pathology,
University of Kansas Medical Center

DESPITE extensive world press coverage and numerous books on the assassination of President John F. Kennedy, scant attention has been given to the medical and scientific aspects of the murder. This brief account is limited to only a few, ignored, facets of the crime.

THE ASSASSINATION

As the motorcade passed through Dealey Plaza, Dallas, Texas (fig. 1), at 12.30 hours Central Standard time [18.30 hours London time] on November 22, 1963, the lead car, containing the President and his wife, and John Connally, Governor of Texas, and his wife, was being photographed at 18·3 frames per second by Abraham Zapruder with a hand-held 8-mm. movie camera. (This film was purchased by *Life* and copyrighted. The Warren Commission copy is now in the Archives but is not available to the public. It may—but only after heroic efforts—be studied by 'serious scholars'. Some key frames, including those mentioned here, were published by *Life* in 1966).

Governor Connally was seated directly in front of the President when, allegedly, three shots were fired by Lee Harvey Oswald, located above, behind, and to the right in a sixth-floor window of the Texas School Book Depository Building. The President was looking slightly to the right, with his right hand raised in a gesture to the crowd, when he was temporarily obscured from Zapruder's camera at frame 218. When he reappeared at frame 224 the President showed pain and was reaching for his throat. (Olson and Turner, 1971, have adducted evidence that the first shot was fired much earlier). Thus the first shot at a depressed angle of 20° 23′ and a distance of 188 feet (57·3 m.) is alleged to have entered from the rear, traversed his neck without striking bone, and emerged from the front in the midline between tracheal rings three and four. By the conclusions of the Warren Commission, the bullet continued without deflection; fractured Connally's fifth rib lateral to the scapula, emerged beneath his right nipple, and fractured his distal right radius to become entangled in his clothing, only later to fall out at Parkland Hospital. The second shot (three empty cartridge cases were found) is presumed to have missed. The third and fatal shot came 5·6 seconds later at frame 313 when the right side of the President's head exploded. (After publication of the Warren Report it was noted that, by superimposing frame 314 on frame 313, the President's head,

* The work reported herein was done at the personal expense of the author and the opinions expressed do not reflect the approval of any other person or organization.

neck and shoulders jerked backwards within this 0·054 second. The author, confirming this observation, testified that this backward movement, also grossly apparent on viewing the movie, is *compatible* with a gunshot from the front.)

Upon arrival at Parkland Hospital, five minutes later, the bullet hole in the front of the neck, then considered to be a hole of entry, was obscured by a tracheostomy incision. The body was not turned over and the bullet hole in the back of the neck escaped notice. It must be remembered that the

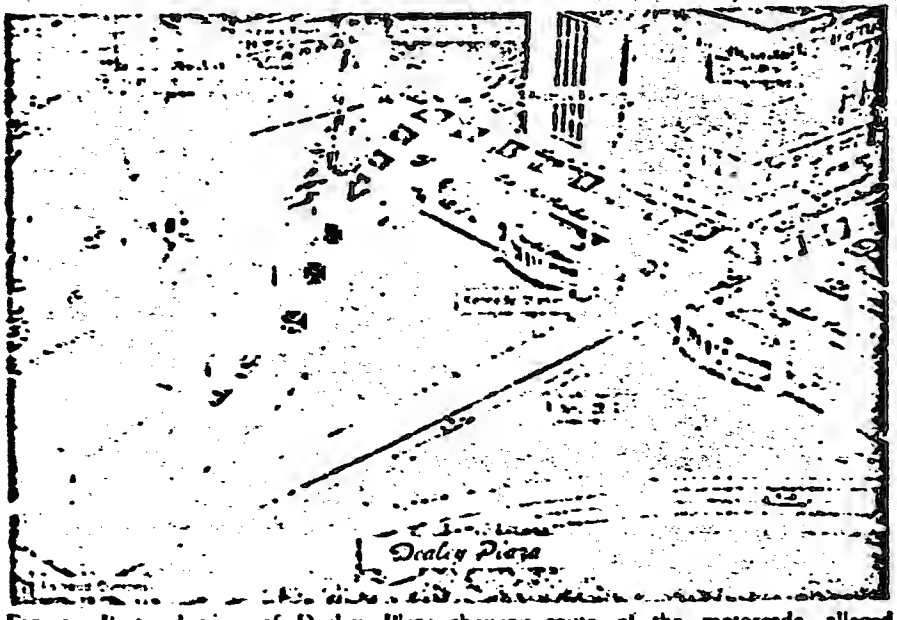


FIG. 1.—Postcard view of Dealey Plaza showing route of the motorcade, alleged position of Oswald and presumed trajectory of three shots.

assassin had not violated any federal law and therefore had not committed a crime against the people of America; he had violated Texas State law and committed a common law crime against the people of Texas. Therefore, all subsequent proceedings would have to be pursuant to Texas law, except any assistance requested by Texas authorities from federal agencies such as the Federal Bureau of Investigation (FBI). The first breach came when the body was forcefully removed by a small group of Secret Service and FBI agents despite the violent physical protests of the coroner of Dallas County, Earl Rose, now Professor of Pathology in the University of Iowa. The body was thus illegally removed 1,375 miles from the State of Texas without the necessary burial-removal permit which is issued only after release by the coroner and after the death certificate has been filed. These requirements are common to all states.

THE NECROPSY

After arrival at the Naval Hospital in Bethesda, Maryland, the necropsy was conducted primarily by two naval pathologists in a crowded room with

a rapidly changing array of admirals, generals, colonels, naval captains, Secret Service and FBI agents, and others, only a few of whom were medically qualified. X-ray films of the head revealed multiple bullet fragments. Before completion of the necropsy Lieutenant-Colonel Pierre A. Finck, a student of missile wounds, arrived in the capacity of an army 'observer' in this naval enclave. His status was such that, in order to examine

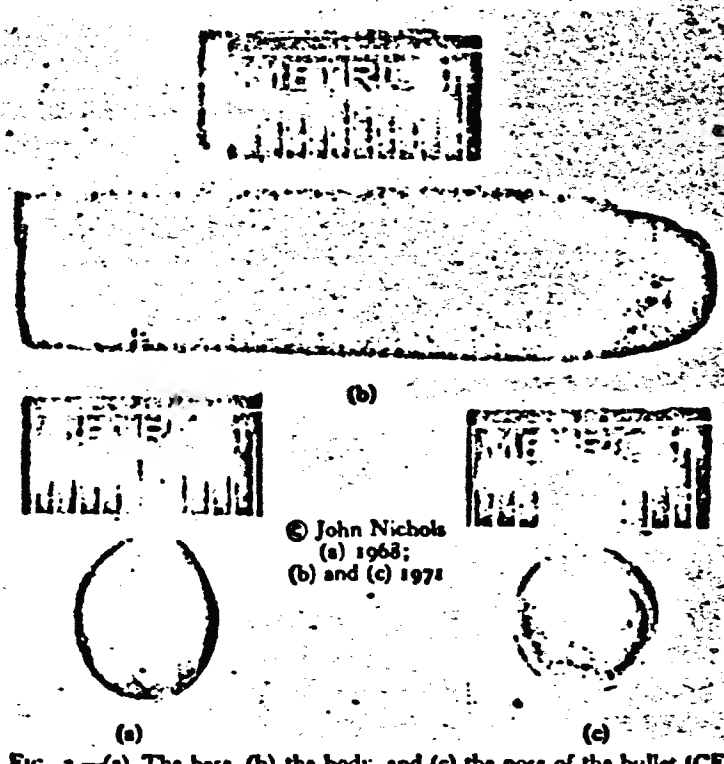


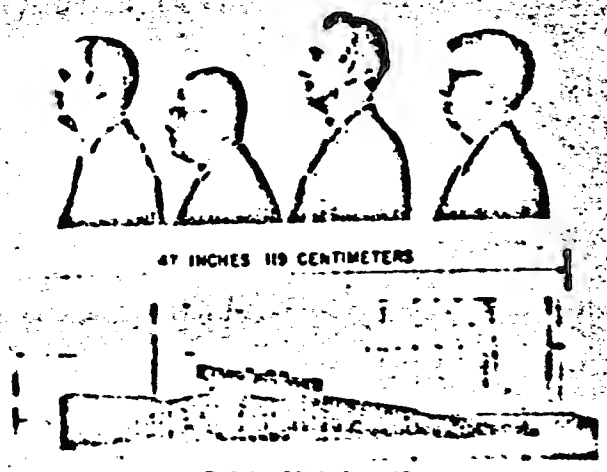
FIG. 2.—(a) The base, (b) the body, and (c) the nose of the bullet (CE 399).

for back wounds, it was necessary for him to obtain permission from an unidentified major-general, a public relations officer. Colonel Finck, however, did have total body x-ray films exposed as well as gross photographs, both black and white and colour. The x-ray films were developed and read by a radiologist but, together with the gross photographs, were not seen by the pathologists during the necropsy or preparation of the protocol.

The history of these x-ray films and photographs is nebulous. In April 1965 they were deposited with the Archivist of the United States with, later, a stipulation that they may be studied only by scholars approved by the executor of the Kennedy estate. I have repeatedly been denied permission to study them, but John K. Lattimer, Professor of Urology in Columbia University, has and concluded that the Warren Commission made no errors (Lattimer, 1972). However, Cyril Wecht, Professor of Medical Jurisprudence and Past President of The American Academy of Forensic Sciences, and E. F. Chapman, Coroner of Wayne County, Michigan, have (separately) studied them, and both decided that there were major discrepancies in the conclusions of the Warren Commission (Wecht, 1972; Chapman, 1973).

THE WARREN COMMISSION

On November 29, 1963, seven days after the assassination, and five days after the murder of the alleged assassin, the new President, Lyndon Johnson, created the 'President's Commission on the Assassination of President Kennedy', popularly known as the Warren Commission from its chairman, Earl Warren, Chief Justice of the United States. The main conclusion of the Warren Commission was that Oswald acted alone and fired, within 5·6 seconds, three shots, the first bullet passing through Kennedy's neck



© John Nichols 1968

FIG. 3.—A bullet from authentic ammunition will penetrate 47 inches of laminated pine before its energy is spent (see text). The first person shown on the left of this illustration has the same measurements and weight as President Kennedy: height 6 feet 1 inch; weight 181 pounds (83 kg.); neck circumference 15½ inches.

without hitting bone and, without deflection, inflicting Connally's wounds, only later to fall from his clothing at Parkland Hospital. This bullet was designated commission exhibit (CE) 399.

EXPERT PANEL

The ensuing furore and criticism of the Warren Commission Report by the public prompted Attorney General Ramsey Clark to convene, in February 1968, an expert panel of three eminent forensic pathologists and a radiologist to review the gross photographs and x-ray films taken at necropsy but not seen by the pathologists before submission of the necropsy protocol. This expert panel reported several important new findings, only three of which will be considered:

(1) A bullet hole of entry in the skull 100 mm. above the external occipital protuberance, whereas the pathologists reported a bullet hole *slightly* above and 2·5 cm. to the right of the external occipital protuberance.

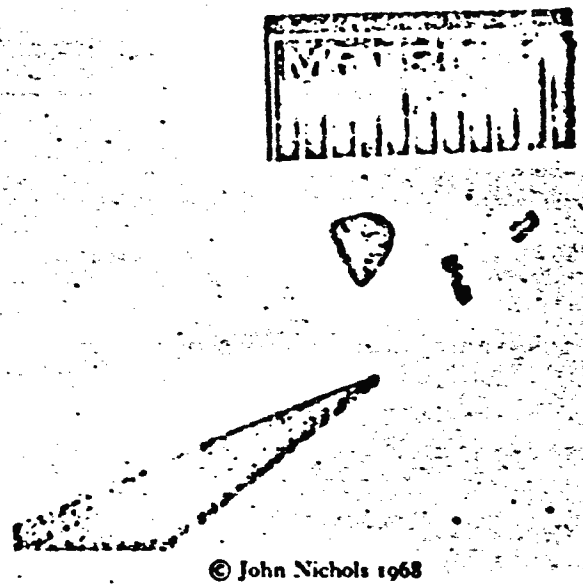
(2) A grey-brown unidentified rectangular object measuring 14 × 20 mm. lying in the base of the brain, not previously noticed.

(3) A delicate tract of metal particles in the soft tissues of the neck region not seen by the radiologist who examined the x-ray films during the necropsy.

CE 399 is a military bullet, fully jacketed, with a 0·64-mm.-thick alloy of 93 per cent. copper and 7 per cent. zinc. Such jacketed bullets usually do not leave particles of metal in soft tissue when bone is not struck (in fact naked lead bullets usually do not leave metal particles in soft tissue when bone is not struck).

PUBLIC DISQUIET

Much of the public disquiet has centred on the fact that, according to his Marine Corps records, Oswald was only a mediocre rifleman, and on the



© John Nichols 1968

FIG. 4.—Three fragments (CE 842) of metal removed from Governor Connally's wrist (see text).

fact that the alleged weapon is a very poor specimen of a war-surplus bolt-action Italian army rifle. It has an inferior 4-power Japanese telescopic sight with an extremely narrow field. Most skilled persons cannot fire three aimed shots from similar weapons within 5·6 seconds. Expert marine corps riflemen, however, were able to fire the required three shots within the allotted 5·6 seconds, but at ground level at a stationary target and not from a height of sixty feet (18·28 m.) at a moving target. My investigations, and attempted investigations, have included the following studies.

(1) Identical ammunition fired in an identical weapon through ribs and wrists and other appropriate anatomical specimens and recovered from mattresses.

(2) The kinetic energy and penetrating power of CE 399.

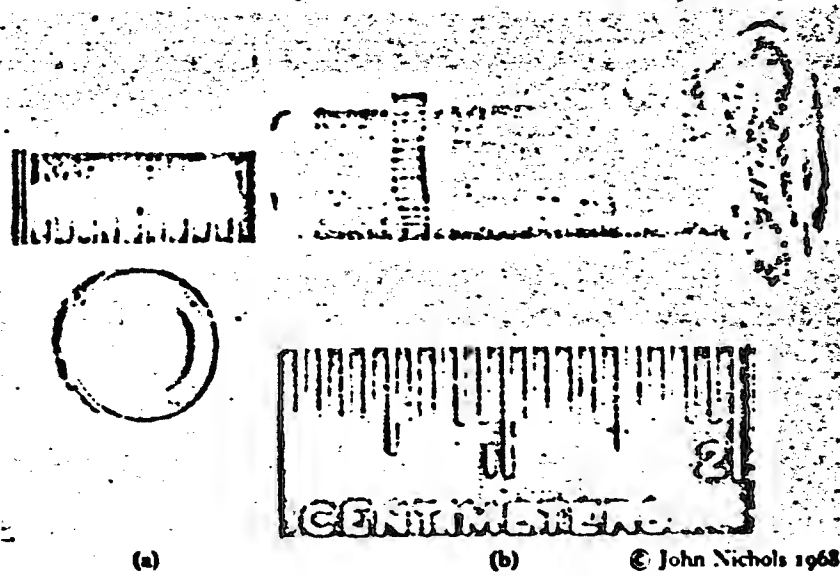
(3) The lateral angle of Oswald's line of fire which has never previously been measured or calculated.

(4) Trace metal content of the margins of bullet holes in the President's coat, CE 399, and fragments CE 842, surgically removed from Connally's wrist.

(5) The newly found 14 × 20 mm. object in the base of the brain.
(6) The head wound, by examination of the necropsy photographs and x-ray films.

BALLISTICS

Figure 2 shows the base, body, and nose of CE 399. Ballistic examination established that this bullet was fired from Oswald's weapon. The person who found the bullet, on a stretcher on which Connally was presumed to have been transported, omitted to mark the bullet, which subsequently passed through the custody of at least two additional hospital employees



(a) (b) © John Nichols 1968

FIG. 5.—Bullet from authentic ammunition shot through a rib and wrist from a recently amputated arm and collected in mattresses showing (a) that the base remains pristine while (b) the nose becomes grossly mutilated.

and two FBI agents before reaching the ballistics laboratory. Receipts were not given and records were not made. This is the only piece of evidence connecting Oswald with the crime, and today the person who found CE 399 refuses to identify it. (Learned counsel opine that CE 399 is not admissible as evidence in an American [Texas] Court.)

The mutilated nature of the base of CE 399 (fig. 2a) is shown here for the first time. This bullet could not have been fired in any gun in this condition. The base of CE 399 therefore became mutilated after firing; I have placed my entire weight (200 pounds [90·7 kg.]) on the base of such pristine bullets without producing deformity. It can also be seen that metal has been shaved from the nose for spectrographic analysis (the results of which the FBI refuse to divulge).

The mutilation of the lead core at the base must account for the loss of 2·5 grains (162 mg.). CE 399 weighs 158·6 grains (10,277 mg.) whereas all bullets removed from identical ammunition by the author before firing weighed 161 grains ± 0·07 grain (standard error of the mean).

After reseating and firing directly into mattresses the bullets lose about

1 grain (16 mg.) due to friction in the gun barrel and in the mattresses. Apart from this, such bullets are always recovered pristine.

Figure 3 shows that such bullets, with a speed of 1,960 feet per second and 1,373 foot-pounds* of energy, will penetrate 47 inches of laminated pine *(Pinus ponderosa)* before the energy is spent. This, of course, is equivalent to several necks, several ribs, and several wrists. Yet CE 399 is presumed to have become entangled in Connally's clothing. The upholstered partition between the passenger and driver compartments, next in line of fire, was not even scratched.

Figure 4 shows three fragments (CE 842) of metal surgically removed from Connally's wrist. An unfired bullet identical with CE 399 weighs 161·07 grains (see p. 630):

CE 399 weighs	158·6 grains
Large fragment of CE 842 from Connally's wrist weighs	0·5 grain
Two small unweighed fragments of CE 842 from Connally's wrist generously estimated to weigh	0·1 grain
Loss of weight of CE 399 from friction in gun barrel generously estimated to be	0·3 grain
Metal reasonably accounted for	159·5 grains

Therefore the metal unaccounted for is approximately 1·5 grains. If CE 399 inflicted both the neck wound of the late President and Connally's wrist wound the trace metal composition must, perforce, be identical in both exhibits.

Even highly refined metal contains contaminants characteristic of a particular lot. Lead especially contains traces of arsenic, antimony, and bismuth in quantities too small for detection by destructive chemical analysis and destructive spectrographic analysis. Fortunately harmless neutron activation is the most sensitive and most reliable method known for detection of these trace metal contaminants. The specimen returns entirely to its normal condition shortly after removal from the nuclear reactor. Such results have been admitted in several trial courts of the world.

If the trace metal content and ratios of CE 399 are different from those of CE 842 then a fourth shot must have been fired and another person must have participated in the murder because all agree that it is impossible for any person to fire four shots from Oswald's gun in the allotted 5·6 seconds.

Figure 5 shows a bullet which I shot through a rib and a radius of a recently amputated arm and collected in mattresses. The nose of the bullet is grossly deformed and the base remains pristine. Similar results were obtained in all such bullets fired through ribs and wrists.

ANGLE OF FIRE.

Figure 6 is the view through Oswald's telescopic sight at Frame 222, showing the depressed angle of 20° 23′ prevailing at the first shot as meas-

*Foot pounds of kinetic energy $= \frac{(\text{velocity})^2 \times \text{weight in grains}}{(32{\cdot}16) \times 2 \times 7000} = 1{,}373$

(When velocity is 1,960 feet per second and the weight is 161 grains)

ured in the FBI re-enactment. I have both measured and calculated the lateral angle at this frame to be 9° 21'. Elementary anatomy indicated that the minimum lateral angle for the bullet to miss the transverse processes and emerge in the midline is 28°; this is obviously impossible from Oswald's

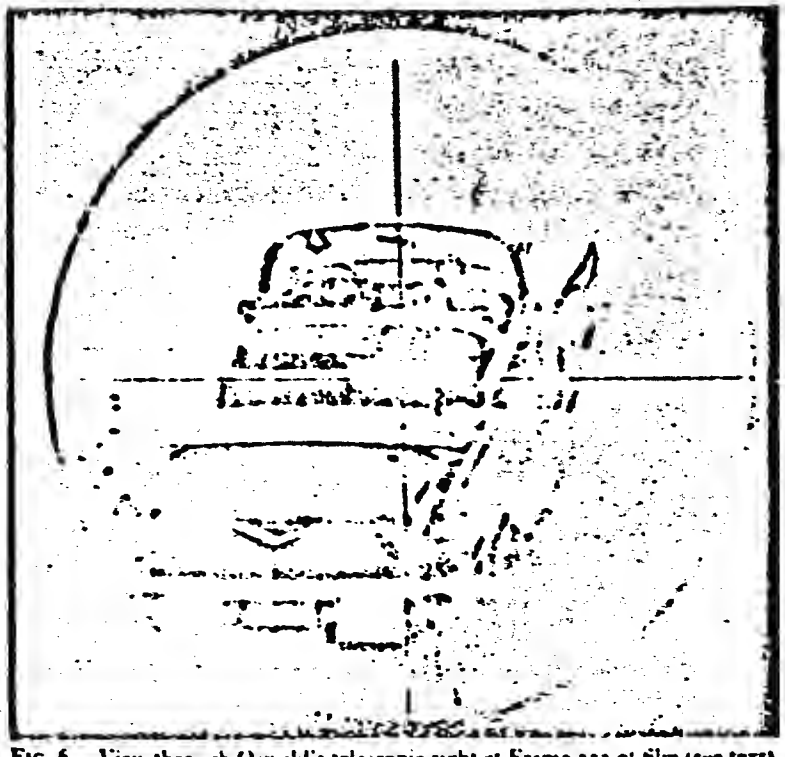


FIG. 6.—View through Oswald's telescopic sight at Frame 222 of film (see text). (CE 895, photograph by courtesy of C. M. Kelley, Director FBI).



© John Nichols 1971

FIG. 7.—Showing required location of a bullet wound in the skull 100 mm. above the external occipital protuberance (see text).

alleged firing position. If the bullet had continued without deflection Connally would have been shot in the left chest rather than the right chest and the bullet would have emerged below the diaphragm.

Figure 7 shows the required location of a bullet wound in the skull 100 mm. above the external occipital protuberance. The expert review panel did not mention if this was measured on the convex surface of the skull or vertically.

CONCLUSION

I have been engaged in efforts to study artifacts of the assassination since January 1964 and in litigation since 1969 for permission to submit the President's coat, CE 399, and CE 842 to harmless neutron activation analysis in the nuclear reactor of the University of Kansas, and to examine the x-ray films and photographs taken at necropsy. The trial judge, on a motion by the defendants to dismiss or for summary judgment, observed, among other things, that there were 'no facts in controversy' and granted summary judgment. The appeal court upheld the trial court and the Supreme Court denied *certiorari* without comment.

I believe there is reasonable doubt that the President's neck wound was inflicted from Oswald's alleged firing position (as displayed in frames 218 to 224), and reasonable doubt that bullet CE 399 inflicted Connally's wrist injury. If harmless neutron activation analysis should reveal the trace metal content and ratios of the margin of the bullet hole in the coat, CE 399, and CE 842 to be identical the conclusions of the Warren Commission would be supported. If, however, the trace metal content and ratios are different then Oswald could not have acted alone.

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Wecht, C. (1972): *Mod. Med.*, 40, No. 24, November 27, p. 28.

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Meagher, Sylvia (1967): 'Accessories After the Fact', Bobbs-Merrill, New York and London.

December 13, 1973

62-109060

John Nichols, M.D.
The University of Kansas
Medical Center
School of Medicine
Department of Pathology and Oncology
Rainbow Boulevard at 39th Street
Kansas City, Kansas 66103

Dear Dr. Nichols:

Reference is made to your letter of December 3rd, with enclosures, requesting information concerning certain neutron activation studies conducted by this Bureau.

The information which you requested is contained in an investigatory file compiled for law enforcement purposes and is thereby exempt from public disclosure pursuant to the provisions of Title 5, United States Code, Section 552 (b) (7).

You may appeal my decision in this matter by writing to the Acting Attorney General, Attention: Office of Legal Counsel, Washington, D. C. 20530. Additionally, judicial review is thereafter available either in the district in which you reside or have a place of business, or in the District of Columbia, the location of the records to which you seek access.

File copy in (1) 62-109060

Sincerely yours,

Clarence M. Kelley
Director

1 - Office of The Deputy Attorney General - Enclosures (3)
1 - Mr. Briggs J. White - Enclosures (4)
1 - Bufile 62-115530 (FOI-RETLIES)

NOTE: Substantial correspondence has previously been had with Nichols concerning the assassination of President Kennedy. He previously requested essentially the same information in letters to the Bureau 6/8/68 and 7/3/68, which were not acknowledged, based on the memorandum B. J. White to I. W. Conrad 6/13/68 (62-109060-6482, 6484, 6512).

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NOTE CONTINUED PAGE TWO

DEC 27 1973

Dr. John Nichols

In 1969 he filed an unsuccessful suit against the United States and the Archivist in which he sought certain FBI Laboratory data. Previous denial of Laboratory data has been based on T5, USC, Sec. 552 (b) (7). Reply coordinated with Laboratory Division.

JKP

December 7, 1973

John F. Kennedy
117 West 16th Street
Sanford, Florida 32771

Federal Bureau of Investigation
Investigative Division
Post Office Department
Pennsylvania Avenue
Washington, D.C.

Dear Sir;

I am writing this letter because I am very interested in an old case which was handled by both the F.B.I. and the Dallas Police Department. I hate to mention the case but it deals with the assassination of the late President John F. Kennedy.

DEC 105 62-109060-7102
5 DEC 18 1973

On November 21, 1973, I saw a movie called "Executive Action". This movie dealt with a possible conspiracy to kill President

NIHIL

CORRESPONDENCE

Kennedy. I honestly believe it was a conspiracy.

Several of the following information makes me believe it was a conspiracy. #1 - In the movie I just mentioned, Lee H. Oswald's rifle was stolen before the assassination. Later, it was recovered from the 6th floor of the Texas School Book Depository. Therefore, someone else used the rifle. Is there any truth to this? #2 - Also in the movie, one of the "conspirators" used a rifle from the Grassy Knoll area. After he fired, he wrapped up the rifle, picked up the used shell, and placed them in a waiting car. Shortly thereafter, a couple of Dallas policemen stopped he and another man and asked what they were doing in the area. Something was said and the two of them showed the

policemen their Secret Service badges. Now I understand that NO "agents" were in that area at that time. Also, these "agents" have since never been accounted for. Please explain this further to me. #3- after Oswald was arrested, he underwent a routine paraffin test. This test covered the right side of his face. Also, his left and right hand. I feel Oswald killed Officer Tippit because the tests on his left and right hands proved he had fired a revolver recently. However, the tests on the right side of his face proved false. This means he had not fired a rifle recently. Doesn't this prove beyond a shadow of a doubt that Oswald couldn't have fired the fatal shots at President Kennedy. Please answer that for me. #4- Everyone said Oswald fired the shots from the 6th floor of the Depository. He

allegedly fired 3 shots in less than 5 seconds. This is an impossibility. It couldn't have been done. Also, wasn't the rifle used a singl loading 6.5 caliber Mannlicher-Carcano rifle? Please give me an answer to that.

Please send me as much information as possible on the assassination. If an investigation into my background is needed before I can receive this information, I welcome it because I have absolutly nothing to hide.

Sincerely yours,

Steve Dodson

REC-106 62-109060-7102

December 14, 1973

Mr. Steve Dodson
117 West 16th Street
Sanford, Florida 32771

Dear Mr. Dodson:

In reply to your letter of December 7th, at the request of President Johnson, the FBI conducted investigation regarding the assassination of President Kennedy and furnished the results of our inquiries to the President's Commission on the Assassination of President Kennedy. The Commission published its findings, together with information concerning Lee Harvey Oswald, and included FBI data in its report. Perhaps a copy of this will be available in your local library.

Sincerely yours,

Clarence M. Kelley
Director

NOTE: Based on available information, correspondent is not identifiable in Bufiles.

jkb:slr (3)

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Director Sec'y ____

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FBI 1973

December 12, 1973

REC-50 62-109060-7103

John Nichols, M.D.
The University of Kansas
Medical Center
School of Medicine
Department of Pathology and Oncology
Rainbow Boulevard at 39th Street
Kansas City, Kansas 66103

Dear Dr. Nichols:

Reference is made to your letter of December 3rd, with enclosures, requesting information concerning certain neutron activation studies conducted by this Bureau.

The information which you requested is contained in an investigatory file compiled for law enforcement purposes and is thereby exempt from public disclosure pursuant to the provisions of Title 5, United States Code, Section 552 (b) (7).

You may appeal my decision in this matter by writing to the Acting Attorney General, Attention: Office of Legal Counsel, Washington, D. C. 20530. Additionally, judicial review is thereafter available either in the district in which you reside or have a place of business, or in the District of Columbia, the location of the records to which you seek access.

Sincerely yours,

MAILED 4
DEC 12 1973
FBI

C. M. Kelley

Clarence M. Kelley
Director

1 - Office of The Deputy Attorney General - Enclosures (3)
1 - Mr. Briggs J. White - Enclosures (4)
1 - Bufile 62-115530 (FOI-REPLIES)

NOTE: Substantial correspondence has previously been had with Nichols concerning the assassination of President Kennedy. He previously requested essentially the same information in letters to the Bureau 6/8/68 and 7/8/68, which were not acknowledged, based on the memorandum B. J. White to I. W. Conrad 6/13/68 (62-109060-6482, 6484, 6512).

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EX-103

RECORDED COPY FILED IN 62-109060-7103

Dr. John Nichols

In 1969 he filed an unsuccessful suit against the United States and the Archivist in which he sought certain FBI Laboratory data. Previous denial of Laboratory data has been based on T5, USC, Sec. 552 (b) (7). Reply coordinated with Laboratory Division.

THE UNIVERSITY OF KANSAS MEDICAL CENTER
RAINBOW BOULEVARD AT 39TH STREET
KANSAS CITY, KANSAS 66103

SCHOOL OF MEDICINE
DEPARTMENT OF PATHOLOGY AND ONCOLOGY

(913) 6[illegible]

December 3, 1973

Asst. Dir.:
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Intell.
Laboratory
Plan. & Eval.
Spec. Inv.
Training
Legal Coun.
Telephone Rm.
Director Sec'y

Clarence M. Kelley, Esq., Director,
Federal Bureau of Investigation
Washington, D. C. 20535

John F. Kennedy

Re: Records and Artifacts of
the Warren Commission

Dear Mr. Kelley:

Further to my letter to you of November 24, 1973, in which I asked that you take some special pictures for me of CE 573 and some special picutres of a flake of metal fallen from CE 399 and now in custody of the Archivist.

Enclosed is a reprint of my only paper on the assassination entitled "Assassination of President Kennedy" as it appears in the current November issue of The Practitioner 211:625-633, 1973. In this on page 632 you will notice the print of CE 895 you kindly provided to me.

Now, I should like to ask you to tell me the results of the neutron activation studies on the several fragments mentioned by Mr. Hoover in his letter to Mr. Rankin of July 8, 1964. Also, I should like to learn when these studies were done, by whom, and where. Shall look forward to hearing from you.

RFC-50 62-109060-7103

Sincerely.

John Nichols

DEC 18 1973

cc: Xerox copy of letter from Hoover to Rankin, July 8, '64.
Reprint indicated supra.

"ENCLOSURE ATTACHED"

2 ENCLOSURE

CORRESPONDENCE

ASSASSINATION OF PRESIDENT KENNEDY

By JOHN NICHOLS, M.D., PH.D., F.A.C.P.

Reprinted from *The Practitioner*

November 1973

Published by THE PRACTITIONER, 5 Bentinck Street, London W1M 5RN, and printed in England by F. J. Parsons Limited, London, Hastings and Folkestone

ASSASSINATION OF PRESIDENT KENNEDY*

By JOHN NICHOLS, M.D., Ph.D., F.A.C.P.
Associate Professor of Pathology,
University of Kansas Medical Center

DESPITE extensive world press coverage and numerous books on the assassination of President John F. Kennedy, scant attention has been given to the medical and scientific aspects of the murder. This brief account is limited to only a few, ignored, facets of the crime.

THE ASSASSINATION

As the motorcade passed through Dealey Plaza, Dallas, Texas (fig. 1), at 12.30 hours Central Standard time [18.30 hours London time] on November 22, 1963, the lead car, containing the President and his wife, and John Connally, Governor of Texas, and his wife, was being photographed at 18·3 frames per second by Abraham Zapruder with a hand-held 8-mm. movie camera. (This film was purchased by *Life* and copyrighted. The Warren Commission copy is now in the Archives but is not available to the public. It may—but only after heroic efforts—be studied by 'serious scholars'. Some key frames, including those mentioned here, were published by *Life* in 1966).

Governor Connally was seated directly in front of the President when, allegedly, three shots were fired by Lee Harvey Oswald, located above, behind, and to the right in a sixth-floor window of the Texas School Book Depository Building. The President was looking slightly to the right, with his right hand raised in a gesture to the crowd, when he was temporarily obscured from Zapruder's camera at frame 218. When he reappeared at frame 224 the President showed pain and was reaching for his throat. (Olson and Turner, 1971, have adducted evidence that the first shot was fired much earlier). Thus the first shot at a depressed angle of 20° 23′ and a distance of 188 feet (57·3 m.) is alleged to have entered from the rear, traversed his neck without striking bone, and emerged from the front in the midline between tracheal rings three and four. By the conclusions of the Warren Commission, the bullet continued without deflection, fractured Connally's fifth rib lateral to the scapula, emerged beneath his right nipple, and fractured his distal right radius to become entangled in his clothing, only later to fall out at Parkland Hospital. The second shot (three empty cartridge cases were found) is presumed to have missed. The third and fatal shot came 5·6 seconds later at frame 313 when the right side of the President's head exploded. (After publication of the Warren Report it was noted that, by superimposing frame 314 on frame 313, the President's head,

* The work reported herein was done at the personal expense of the author and the opinions expressed do not reflect the approval of any other person or organization.

neck and shoulders jerked backwards within this 0·054 second. The author, confirming this observation, testified that this backward movement, also grossly apparent on viewing the movie, is *compatible* with a gunshot from the front.)

Upon arrival at Parkland Hospital, five minutes later, the bullet hole in the front of the neck, then considered to be a hole of entry, was obscured by a tracheostomy incision. The body was not turned over and the bullet hole in the back of the neck escaped notice. It must be remembered that the

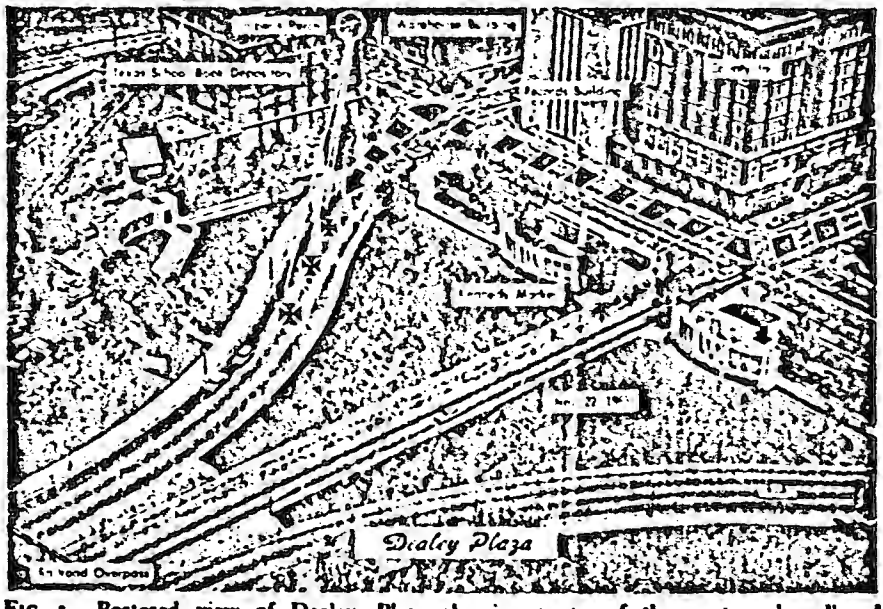


FIG. 1.—Postcard view of Dealey Plaza showing route of the motorcade, alleged position of Oswald and presumed trajectory of three shots.

assassin had not violated any federal law and therefore had not committed a crime against the people of America; he had violated Texas State law and committed a common law crime against the people of Texas. Therefore, all subsequent proceedings would have to be pursuant to Texas law, except any assistance requested by Texas authorities from federal agencies such as the Federal Bureau of Investigation (FBI). The first breach came when the body was forcefully removed by a small group of Secret Service and FBI agents despite the violent physical protests of the coroner of Dallas County, Earl Rose, now Professor of Pathology in the University of Iowa. The body was thus illegally removed 1,375 miles from the State of Texas without the necessary burial-removal permit which is issued only after release by the coroner and after the death certificate has been filed. These requirements are common to all states.

THE NECROPSY

After arrival at the Naval Hospital in Bethesda, Maryland, the necropsy was conducted primarily by two naval pathologists in a crowded room with

a rapidly changing array of admirals, generals, colonels, naval captains, Secret Service and FBI agents, and others, only a few of whom were medically qualified. X-ray films of the head revealed multiple bullet fragments. Before completion of the necropsy Lieutenant-Colonel Pierre A. Finck, a student of missile wounds, arrived in the capacity of an army 'observer' in this naval enclave. His status was such that, in order to examine

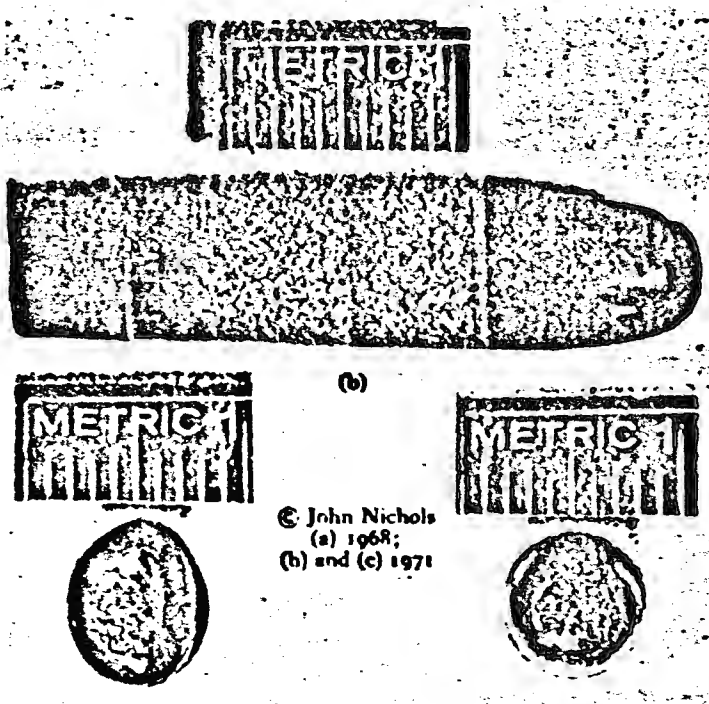


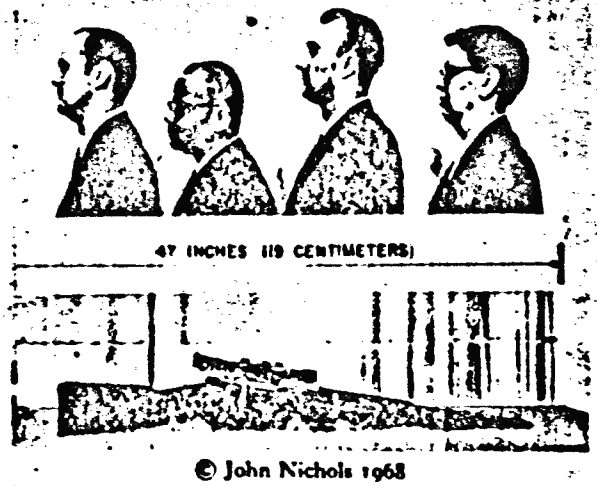
FIG. 2.—(a) The base, (b) the body, and (c) the nose of the bullet (CE 399).

for back wounds, it was necessary for him to obtain permission from an unidentified major-general, a public relations officer. Colonel Finck, however, did have total body x-ray films exposed as well as gross photographs, both black and white and colour. The x-ray films were developed and read by a radiologist but, together with the gross photographs, were not seen by the pathologists during the necropsy or preparation of the protocol.

The history of these x-ray films and photographs is nebulous. In April 1965 they were deposited with the Archivist of the United States with, later, a stipulation that they may be studied only by scholars approved by the executor of the Kennedy estate. I have repeatedly been denied permission to study them, but John K. Lattimer, Professor of Urology in Columbia University, has and concluded that the Warren Commission made no errors (Lattimer, 1972). However, Cyril Wecht, Professor of Medical Jurisprudence and Past President of The American Academy of Forensic Sciences, and E. F. Chapman, Coroner of Wayne County, Michigan, have (separately) studied them, and both decided that there were major discrepancies in the conclusions of the Warren Commission (Wecht, 1972; Chapman, 1973).

THE WARREN COMMISSION

On November 29, 1963, seven days after the assassination, and five days after the murder of the alleged assassin, the new President, Lyndon Johnson, created the 'President's Commission on the Assassination of President Kennedy', popularly known as the Warren Commission from its chairman, Earl Warren, Chief Justice of the United States. The main conclusion of the Warren Commission was that Oswald acted alone and fired, within 5·6 seconds, three shots, the first bullet passing through Kennedy's neck



© John Nichols 1968

FIG. 3.—A bullet from authentic ammunition will penetrate 47 inches of laminated pine before its energy is spent (see text). The first person shown on the left of this illustration has the same measurements and weight as President Kennedy: height 6 feet 1 inch; weight 181 pounds (83 kg.); neck circumference 15½ inches.

without hitting bone and, without deflection, inflicting Connally's wounds, only later to fall from his clothing at Parkland Hospital. This bullet was designated commission exhibit (CE) 399.

EXPERT PANEL

The ensuing furore and criticism of the Warren Commission Report by the public prompted Attorney General Ramsey Clark to convene, in February 1968, an expert panel of three eminent forensic pathologists and a radiologist to review the gross photographs and x-ray films taken at necropsy but not seen by the pathologists before submission of the necropsy protocol. This expert panel reported several important new findings, only three of which will be considered:

(1) A bullet hole of entry in the skull 100 mm. above the external occipital protuberance, whereas the pathologists reported a bullet hole *slightly* above and 2·5 cm. to the right of the external occipital protuberance.

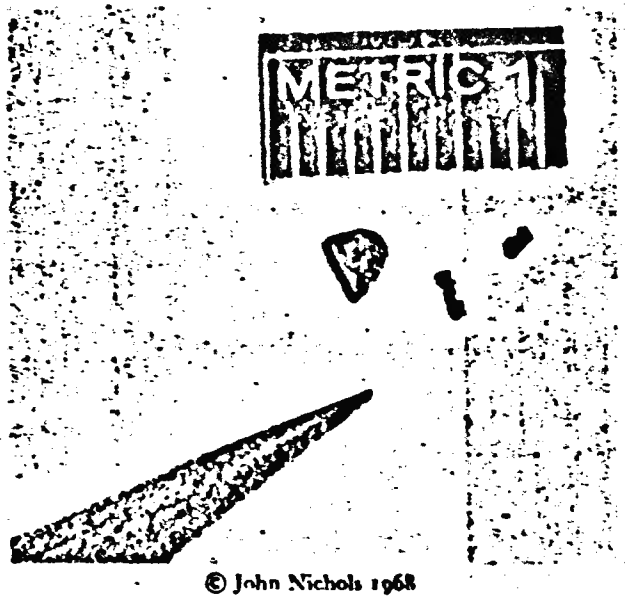
(2) A grey-brown unidentified rectangular object measuring 14 × 20 mm. lying in the base of the brain, not previously noticed.

(3) A delicate tract of metal particles in the soft tissues of the neck region not seen by the radiologist who examined the x-ray films during the necropsy.

CE 399 is a military bullet, fully jacketed, with a 0·64-mm.-thick alloy of 93 per cent. copper and 7 per cent. zinc. Such jacketed bullets usually do not leave particles of metal in soft tissue when bone is not struck (in fact naked lead bullets usually do not leave metal particles in soft tissue when bone is not struck).

PUBLIC DISQUIET

Much of the public disquiet has centred on the fact that, according to his Marine Corps records, Oswald was only a mediocre rifleman, and on the



© John Nichols 1968

FIG. 4.—Three fragments (CE 842) of metal removed from Governor Connally's wrist (see text).

fact that the alleged weapon is a very poor specimen of a war-surplus bolt-action Italian army rifle. It has an inferior 4-power Japanese telescopic sight with an extremely narrow field. Most skilled persons cannot fire three aimed shots from similar weapons within 5·6 seconds. Expert marine corps riflemen, however, were able to fire the required three shots within the allotted 5·6 seconds, but at ground level at a stationary target and not from a height of sixty feet (18·28 m.) at a moving target. My investigations, and attempted investigations, have included the following studies.

(1) Identical ammunition fired in an identical weapon through ribs and wrists and other appropriate anatomical specimens and recovered from mattresses.

(2) The kinetic energy and penetrating power of CE 399.

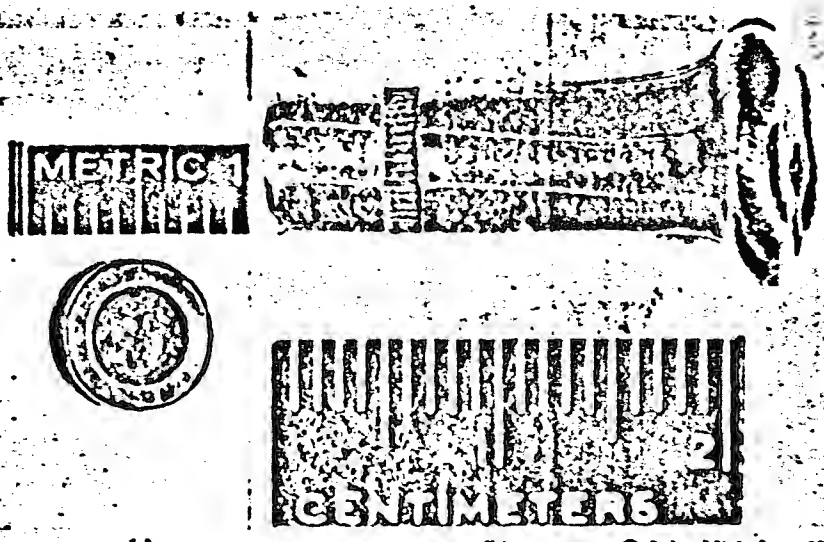
(3) The lateral angle of Oswald's line of fire which has never previously been measured or calculated.

(4) Trace metal content of the margins of bullet holes in the President's coat, CE 399, and fragments CE 842, surgically removed from Connally's wrist.

(5) The newly found 14 × 20 mm. object in the base of the brain.
(6) The head wound, by examination of the necropsy photographs and x-ray films.

BALLISTICS

Figure 2 shows the base, body, and nose of CE 399. Ballistic examination established that this bullet was fired from Oswald's weapon. The person who found the bullet, on a stretcher on which Connally was presumed to have been transported, omitted to mark the bullet, which subsequently passed through the custody of at least two additional hospital employees



(a) (b) © John Nichols 1968

FIG. 5.—Bullet from authentic ammunition shot through a rib and wrist from a recently amputated arm and collected in mattresses showing (a) that the base remains pristine while (b) the nose becomes grossly mutilated.

and two FBI agents before reaching the ballistics laboratory. Receipts were not given and records were not made. This is the only piece of evidence connecting Oswald with the crime, and today the person who found CE 399 refuses to identify it. (Learned counsel opine that CE 399 is not admissible as evidence in an American [Texas] Court.)

The mutilated nature of the base of CE 399 (fig. 2a) is shown here for the first time. This bullet could not have been fired in any gun in this condition. The base of CE 399 therefore became mutilated after firing; I have placed my entire weight (200 pounds [90·7 kg.]) on the base of such pristine bullets without producing deformity. It can also be seen that metal has been shaved from the nose for spectrographic analysis (the results of which the FBI refuse to divulge).

The mutilation of the lead core at the base must account for the loss of 2·5 grains (162 mg.). CE 399 weighs 158·6 grains (10,277 mg.) whereas all bullets removed from identical ammunition by the author before firing weighed 161 grains ± 0·07 grain (standard error of the mean).

After rescating and firing directly into mattresses the bullets lose about

½ grain (16 mg.) due to friction in the gun barrel and in the mattresses. Apart from this, such bullets are always recovered pristine.

Figure 3 shows that such bullets, with a speed of 1,960 feet per second and 1,373 foot-pounds* of energy, will penetrate 47 inches of laminated pine *(Pinus ponderosa)* before the energy is spent. This, of course, is equivalent to several necks, several ribs, and several wrists. Yet CE 399 is presumed to have become entangled in Connally's clothing. The upholstered partition between the passenger and driver compartments, next in line of fire, was not even scratched.

Figure 4 shows three fragments (CE 842) of metal surgically removed from Connally's wrist. An unfired bullet identical with CE 399 weighs 161·07 grains (see p. 630):

CE 399 weighs	158·6 grains
Large fragment of CE 842 from Connally's wrist weighs	0·5 grain
Two small unweighed fragments of CE 842 from Connally's wrist generously estimated to weigh	0·1 grain
Loss of weight of CE 399 from friction in gun barrel generously estimated to be	0·3 grain
Metal reasonably accounted for	159·5 grains

Therefore the metal unaccounted for is approximately 1·5 grains. If CE 399 inflicted both the neck wound of the late President and Connally's wrist wound the trace metal composition must, perforce, be identical in both exhibits.

Even highly refined metal contains contaminants characteristic of a particular lot. Lead especially contains traces of arsenic, antimony, and bismuth in quantities too small for detection by destructive chemical analysis and destructive spectrographic analysis. Fortunately harmless neutron activation is the most sensitive and most reliable method known for detection of these trace metal contaminants. The specimen returns entirely to its normal condition shortly after removal from the nuclear reactor. Such results have been admitted in several trial courts of the world.

If the trace metal content and ratios of CE 399 are different from those of CE 842 then a fourth shot must have been fired and another person must have participated in the murder because all agree that it is impossible for any person to fire four shots from Oswald's gun in the allotted 5·6 seconds.

Figure 5 shows a bullet which I shot through a rib and a radius of a recently amputated arm and collected in mattresses. The nose of the bullet is grossly deformed and the base remains pristine. Similar results were obtained in all such bullets fired through ribs and wrists.

ANGLE OF FIRE

Figure 6 is the view through Oswald's telescopic sight at Frame 222, showing the depressed angle of 20° 23′ prevailing at the first shot as meas-

*Foot pounds of kinetic energy $= \frac{(\text{velocity})^2 \times \text{weight in grains}}{(32{\cdot}16) \times 2 \times 7000} = 1{,}373$

(When velocity is 1,960 feet per second and the weight is 161 grains)

ured in the FBI re-enactment. I have both measured and calculated the lateral angle at this frame to be 9° 21'. Elementary anatomy indicated that the minimum lateral angle for the bullet to miss the transverse processes and emerge in the midline is 28°; this is obviously impossible from Oswald's

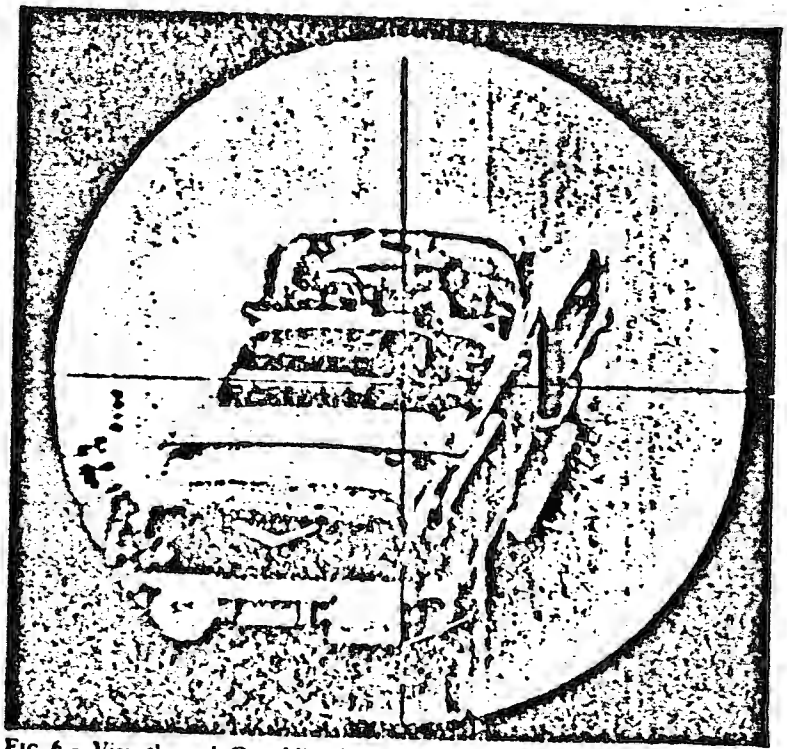


FIG. 6.—View through Oswald's telescopic sight at Frame 222 of film (see text). (CE 895, photograph by courtesy of C. M. Kelley, Director FBI).



© John Nichols 1971

FIG. 7.—Showing required location of a bullet wound in the skull 100 mm. above the external occipital protuberance (see text).

alleged firing position. If the bullet had continued without deflection Connally would have been shot in the left chest rather than the right chest and the bullet would have emerged below the diaphragm.

Figure 7 shows the required location of a bullet wound in the skull 100 mm. above the external occipital protuberance. The expert review panel did not mention if this was measured on the convex surface of the skull or vertically.

CONCLUSION

I have been engaged in efforts to study artifacts of the assassination since January 1964 and in litigation since 1969 for permission to submit the President's coat, CE 399, and CE 842 to harmless neutron activation analysis in the nuclear reactor of the University of Kansas, and to examine the x-ray films and photographs taken at necropsy. The trial judge, on a motion by the defendants to dismiss or for summary judgment, observed, among other things, that there were 'no facts in controversy' and granted summary judgment. The appeal court upheld the trial court and the Supreme Court denied *certiorari* without comment.

I believe there is reasonable doubt that the President's neck wound was inflicted from Oswald's alleged firing position (as displayed in frames 218 to 224), and reasonable doubt that bullet CE 399 inflicted Connally's wrist injury. If harmless neutron activation analysis should reveal the trace metal content and ratios of the margin of the bullet hole in the coat, CE 399, and CE 842 to be identical the conclusions of the Warren Commission would be supported. If, however, the trace metal content and ratios are different then Oswald could not have acted alone.

References

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—— (1972): *Med. Tms*, 100, No. 6, June, p. 33.

Life (1966): 'A Matter of Reasonable Doubt', 61, No. 22, November 25, p. 40.

Nichols, J. (1969): Testimony in 'Louisiana vs. Shaw', 198–059 1426 (30), Section 'C'; Criminal District Court, Parish of Orleans, Louisiana.

Nichols vs. United States of America *et al.* (1969–1972): 325 F. Supp. 130 (1971); 460 F. 2d. 671 (1972); *certiorari denied* U.S. 34 L Ed 2d, 232 (1972).

Olson, D., and Turner, R. (1971): *J. Forens. Sci.*, 16, 399.

Report of Attorney General Ramsey Clark's Expert Review Panel (1968): deposited in 'United States *ex rel.* State of Louisiana vs. James B. Rhoads' (1969); District of Columbia Court of General Sessions, Misc. 825–69A.

'Report of the President's Commission on the Assassination of President John F. Kennedy' (1964); U.S. Government Printing Office, Washington.

Wecht, C. (1972): *Mod. Med.*, 40, No. 24, November 27, p. 28.

Suggested Reading

Thompson, Josiah (1967): 'Six Seconds in Dallas', Bernard Geis Associates, New York.

Meagher, Sylvia (1967): 'Accessories After the Fact', Bobbs-Merrill, New York and London.

UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

WASHINGTON 25, D.C.

July 8, 1964

By Courier Service

Honorable J. Lee Rankin
General Counsel
The President's Commission
200 Maryland Avenue, Northeast
Washington, D. C.

Dear Mr. Rankin:

As previously reported to the Commission, certain small lead metal fragments uncovered in connection with this matter were analyzed spectrographically to determine whether they could be associated with one or more of the lead bullet fragments and no significant differences were found within the sensitivity of the spectrographic method.

Because of the higher sensitivity of the neutron activation analysis, certain of the small lead fragments were then subjected to neutron activation analyses and comparisons with the larger bullet fragments. The items analyzed included the following: C1 - bullet from stretcher; C2 - fragment from front seat cushion; C4 and C5 - metal fragments from President Kennedy's head; C9 - metal fragment from the arm of Governor Connally; C16 - metal fragments from rear floor board carpet of the car.

While minor variations in composition were found by this method, these were not considered sufficient to permit positively differentiating among the larger bullet fragments and thus positively determining from which of the larger bullet fragments any given small lead fragment may have come.

Sincerely yours,

J. Edgar Hoover

United States Senate

Washington, D. C., December 7, 1973

Respectfully referred to

Federal Bureau of Investigation

Attention: Kathryn Stoltz
Room 353
Ext 225-9119

ASSASSINATION of JOHN F. KENNEDY

Asst. Dir.:
Admin.
Comp. Syst.
Ext. Affairs
Files & Com.
Gen. Inv.
Ident.
Inspection
Intell.
Laboratory
Plan. & Eval.
Spec. Inv.
Training
Legal Coun.
Telephone Rm.
Director Sec'y

12-12-73
12-12-73 LCD...

EX-103

REC-57 62-109060-7104

17 DEC [illegible] 1973

Form No. 8 U.S.S.
10—45102-8 GPO

ENCLOSURE

CORRESPONDENCE

910A Hamlin Hall
Oakland University
Rochester, Mich.
Nov. 30, 1973

Sen Robert Griffen
U.S. Senate
Washington, D.C. 20510

Dear Sen: Griffen:

Due to recent mass media attention to the assassination of President Kennedy in 1963, and the alleged conspiracy behind this assassination attempt, I urge you to foster and support measures which would declassify the files on Lee Harvey Oswald. The declassification which would allow

them to become public now or in the immediate future rather than 2039 would, I believe, clarify the cloudy knowledge of events which surrounded the assassination. It would end much public speculation. If there was a conspiracy, we the public should know about it.

Please act as your conscious dictates. I hope your share a similar view as that which I expressed above.

Sincerely,
Craig A. Zaunt

62-109060-7104

REC-57

December 12, 1973

Honorable Robert P. Griffin
United States Senate
Washington, D. C. 20510

EX-105

Dear Senator Griffin:

Your communication of December 7th enclosing correspondence from your constituent, Mr. Craig A. Zanot, has been received.

810 A[illegible]
OAKLAND UNIVERSITY, ROCHESTER, MICH.

In reply, please be advised that the FBI conducted, at the request of President Johnson, investigation with respect to the assassination of President Kennedy. The results of our investigation were factually reported to the Warren Commission.

The information was subsequently made available to the National Archives by the Warren Commission and this Bureau has no further information we can furnish regarding this case.

As Director of the FBI, it would be contrary to long established policy for me to comment concerning support for any legislative matters since within the Department of Justice it is the function of the Attorney General to determine the desirability of legislation.

Sincerely yours,

[illegible] 4
[illegible] 1973
FBI

Clarence M. Kelley
Director

1 - Detroit - Enclosures (2)
1 - Congressional Services Office - Enclosures (2)

NOTE: Bufiles contain no record of Craig A. Zanot. We have had prior official correspondence with Senator Griffin (R-Michigan).

RCD:mks (6)

[illegible] EX-105

[illegible] LVIII
[illegible] SECTION

MAIL ROOM ☐ TELETYPE UNIT ☐

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Admin. ___
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Files & Com. ___
Gen. Inv. ___
Ident. ___
Inspection ___
Intell. ___
Laboratory ___
Plan. & Eval. ___
Spec. Inv. ___
Training ___
Legal Coun. ___
Telephone Rm. ___
Director Sec'y ___

Michael C. Carnahan
50th Combat Support Gr
Box 274
APO New York, N.Y. 091

Federal Bureau of Investigation
Washington D.C.

Dear Sirs:

I am doing a research paper on the assassination of Presiden John Fitzgerald Kennedy. I would like the following items sent to me. I realize the originals cannot be sent to me, but I would li duplicate copies or reproduction copies. All of these items have been taken out of the FBI Summary Report given to the Warren Commission. In order to aide you I have listed the items as they appear in the report.

Appendix A

I. THE ASSASSINATION

A. ASSASSIN IN BUILDING

Exhibit 1 - Diagram which shows where the three shots rang out.

II. THE EVIDENCE

A. EVENTS PRIOR TO ASSASSINATION

Exhibit 4 - Photograph of the brown wrapping paper in the shape of a long bag found near the window from which the shots were fired on the sixth floor of the Depository building.

C. OSWALD'S APPREHENSION

Exhibit 8 - Photograph of the .38 special revolver recover from Oswald at the time of his apprehension.

D. INTERVIEW OF THE ASSASSIN

Exhibit 9 - Photograph of Oswald with the rifle and a hand

Exhibit 11 - Card issued to Lee H. Oswald by the " Fair Pl for Cuba Committee"

E. THE ASSASSINATION WEAPON

REC-48 62-109060-710

Exhibit 12 - Photograph of the 6.5 m.m. Manlicher-Carcano, bolt action, clip-fed rifle, serial no. C 27(4 power Japenese telescopic sight.

Exhibit 13 - Diagram which shows the location of the windo from which the fatal shots were fired. Shows location of the rifle found by Dallas Police Officers.

Exhibit 14 - Photograph of the rifle, blanket, and long br paper bag

9 JAN 2 1974

CORRESPONDENCE

Appendix B

I. FBI LABRATORY EXAMINATIONS

A. PRESIDENT'S CLOTHING

Exhibits 59 & 60 - Photograph of the back of President Kennedy's suit coat, showing bullet entrance and exit holes. Photograph of PresidentX Kennedy's shirt with close up of bullet entrance hole and the exit hole in the collar and the nick in the tie.

I have only listed the sections which contain the exhibits I wish to have. If you are unable to provide me with this information will you please send me the address of the office where I can obtain such information. I am a High School student living Germany. I am an American citizen. Please send the information to this address: Michael C. Carnahan
Wiesbaden American High School
Residence Hall Rm # 4
APO New York, N.Y. 09633

This information is very important and needed quickly. I am sending this letter registered, I request you do the same. I wi be awaiting your quick reply.

Sincerely

Michael C Carnahan

MICHAEL C. CARNAHAN

FX. 104

62-109060-7105

REC-48

December 26, 1973

AIRMAIL
SPECIAL DELIVERY

Mr. Michael A. Carnahan
Residence Hall Room 4
APO New York 09633

Dear Mr. Carnahan:

Your letter requesting copies of certain exhibits from an FBI report which was furnished to the Warren Commission has been received.

Upon completion of the Warren Report, The President's Commission on the Assassination of President John F. Kennedy sent investigative materials and documentary evidence to the National Archives and Records Service, Seventh and Pennsylvania Avenue, N.W., Washington, D. C. 20408, for permanent preservation. Some of these documents are now available to the public. Therefore, you may desire to direct your request to the National Archives, Attention: NNFC, Area 6W3.

It is noted that you apparently listed the exhibit numbers as they appear in the FBI report. To facilitate the handling of your request, it is suggested that, if feasible, you obtain the Commission numbers for the exhibits you desire.

Sincerely yours,

MAILED 3
DEC 26 1973
A-FBI

J. Edgar Hoover

Clarence M. Kelley

1 - Office of The Deputy Attorney General - Enclosure
1 - Bufile 62-115531 (FOI-RUFLIN)

NOTE: Correspondent is not identifiable in Bufiles.

mcp:nln (7)

Assoc. Dir. ____
Dep. Assoc. Dir. ____
Admin. ____
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UNRECORDED COPY FILED IN

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27

UNITED STATES GOVERNMENT

Memorandum

TO : The Director

DATE: 12/18/73

FROM : Legal Counsel

SUBJECT: HAROLD WEISBERG v.
U.S. DEPARTMENT OF JUSTICE
FREEDOM OF INFORMATION ACT

Attached is a copy of the decision of the United States Court of Appeals for the District of Columbia Circuit which was decided on 10/24/73 in captioned case.

Plaintiff in this civil action had requested under the Freedom of Information Act material from our investigative file relating to the assassination of the late President John F. Kennedy. Weisberg's request was denied and he subsequently filed a civil action in the United States District Court in Washington. His complaint was dismissed by the District Court and he appealed to the United States Circuit Court. The initial opinion by the Circuit Court was adverse to the Government in that it would require the Government to justify the withholding of information in investigative files on the basis that some ongoing investigative matter would be prejudiced by disclosure. The Government petitioned the Circuit Court for a hearing en banc, which was granted. The decision handed down on 10/24/73, with only Chief Judge Bazelon dissenting, interpreted the seventh exception in the Freedom of Information Act relating to investigatory files compiled for law enforcement purposes as covering all materials in an investigatory file. This decision will permit us to deny access to those materials which are clearly contained in one of our investigatory files.

RECOMMENDATION:

None; for information.

Enc.
1 - Mr. Franck
2 - Mr. Mintz
1 - Mr. Williamson

Bufile: 62-109060

JLW:msl
(5)

54 JAN 9 1974

UNRECORDED COPY FILED IN 100-358086-

62-109060-1106

JAN 7 1974

Notice: This opinion is subject to formal revision before publication in the Federal Reporter or U.S. App. D.C. Reports. Users are requested to notify the Clerk of any formal errors in order that corrections may be made before the bound volumes go to press.

United States Court of Appeals

FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 71-1026

HAROLD WEISBERG, APPELLANT

v.

U. S. DEPARTMENT OF JUSTICE

On Rehearing *En Banc*

Decided October 24, 1973

Bernard Fensterwald, Jr., with whom *James H. Lesar* was on the brief, for appellants.

Walter H. Fleischer, Attorney, Department of Justice, with whom Assistant Attorney General *L. Patrick Gray, III*, at the time the brief was filed, *Thomas A. Flannery*, United States Attorney at the time the brief was filed, *Harold H. Titus, Jr.*, United States Attorney, and *Barbara L. Herwig*, Attorney, Department of Justice, were on the brief, for appellee. *Alan S. Rosenthal*, Attorney, Department of Justice, also entered an appearance for appellee.

Before: BAZELON, *Chief Judge*, DANAHER,* *Senior Circuit Judge*, WRIGHT, MCGOWAN, TAMM, LEVENTHAL,

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* No. 71-1829, Committee to Investigate Assassinations v. U.S. Department of Justice was argued together with the above entitled case. *Senior Circuit Judge* Danaher did not participate in the consideration or disposition of 71-1829 and an opinion in that case will be forthcoming.

ROBINSON, MACKINNON, ROBB and WILKEY, *Circuit Judges*, sitting *en banc*.

Opinion for the Court filed by *Senior Circuit Judge* DANAHER.

Dissenting opinion filed by *Chief Judge* BAZELON at p. 17.

DANAHER, *Senior Circuit Judge:* Relying upon 5 U.S.C. § 552(a)(3) of the Freedom of Information Act, appellant in the district court sought to compel disclosure of certain materials[1] compiled by the Federal Bureau of Investigation following the assassination of the late President Kennedy. Appellant argued that he is a professional writer who has published four books treating of the Kennedy assassination. The Department of Justice moved that the complaint be dismissed or, alternatively, for summary judgment, predicating its position

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[1] The appellant's complaint in paragraph 6 had alleged that after the assassination of President Kennedy on November 22, 1963, the Federal Bureau of Investigation had spectrographically analyzed and compared the following items:

a) the bullet found on the stretcher of either President Kennedy or Governor John Connally of Texas (Identified as Exhibit 399 of the President's Commission on the Assassination of President Kennedy, hereafter referred to as the Warren Commission);

b) bullet fragment from front seat cushion of the President's limousine;

c) bullet fragment from beside front seat;

d) metal fragments from the President's head;

e) metal fragment from the arm of Governor Connally;

f) three metal fragments recovered from rear floor board carpet of limousine;

g) metal scrapings from inside surface of windshield of limousine; and

h) metal scrapings from curb in Dealey Plaza which was struck by bullet or fragment.

upon Section 552(b)(7) of the Act which, as here pertinent, provides:

> (b) This section shall not apply to matters that are
>
> • • • • •
>
> (7) investigatory files compiled for law enforcement purposes . . . .

The district court without opinion granted the Department's motion to dismiss.[2] We are satisfied that the record before us clearly demonstrates the desired materials[3] were part of the investigatory files compiled by the FBI for law enforcement purposes, and, as such, are exempt from the disclosure sought to be compelled. Accordingly, we affirm.[4]

I.

President Kennedy was pronounced dead at 1:00 p.m. on Friday, November 22, 1963. That day, at 2:38 p.m., Lyndon B. Johnson was sworn in as the thirty-sixth

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[2] Following argument of Weisberg's appeal, the respective opinions of a divided court were vacated when we entered our order for rehearing *en banc*.

[3] Prior to the institution of this action the Attorney General had denied appellant's application for administrative relief wherein he described as "records" the following:

> "Spectrographic analysis of bullet, fragments of bullet and other objects, including garments and part of vehicle and curbstone said to have been struck by bullet and/or fragments during assassination of President Kennedy and wounding of Governor Connally.

[4] The appellant chose not to counter the Department's affidavit filed in support of its Rule 12(b)(6) motion to dismiss for failure to state a claim upon which relief could be granted, or alternatively, for summary judgment. No material issue of fact was presented in any event. *See* Irons v. Schuyler, 151 U.S. App. D.C. 23, 28, 465 F.2d 608, 613, *cert. denied*, 409 U.S. 1076 (1972); *cf.* Carter v. Stanton, 405 U.S. 669 at 671 (1972); *and see* Nichols v. United States, 460 F.2d 671, 675 (10 Cir.), *cert. denied*, 409 U.S. 966 (1972).

President of the United States and immediately by plane left Texas for Washington.

Director Hoover testified before the Warren Commission that

> When President Johnson returned to Washington he communicated with me within the first 24 hours and asked the Bureau to pick up the investigation of the assassination because as you are aware, there is no federal jurisdiction for such an investigation. It is not a Federal crime to kill or attack the President or Vice President, or any of the continuity of officers who would succeed to the presidency.

Appellant has argued on brief that the FBI materials could not have been compiled for law enforcement purposes since, in 1963 the State of Texas but not United States "had jurisdiction over the crime."[*] He thus contended that he was "entitled to the sought material as a matter of law and not as a matter of grace."

Clearly, in the day and time of it all, the President contemplated collaboration with Texas authorities by agents of the Secret Service and of the Federal Bureau of Investigation looking to the early apprehension and ultimately the conviction of whoever murdered President Kennedy. It was speedily developed that the rifle from which the assassin's bullets had been fired had been shipped to one Lee Harvey Oswald. The latter was placed under arrest and charged with the perpetration of the crime. Two days later, as an investigation of massive proportions got under way, Oswald, then in the custody of Dallas Police, was fatally shot by one Jack Ruby.

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[*] Congress by Pub.L. 89-141 approved August 28, 1965, 18 U.S.C. § 1751, prescribed penalties to apply in cases of assassination of a president and other identified officers and dealt with conspiracies to accomplish any such proscribed offense.

Director Hoover further testified before the Warren Commission thus:

> However, the President has a right to request the Bureau to make special investigations, and in this instance he asked that this investigation be made. I immediately assigned a special force headed by the special agent in charge at Dallas, Texas, to initiate the investigation, and to get all details and facts concerning it, which we obtained, and then prepared a report which we submitted to the Attorney General for transmission to the President. [Hearings before the Warren Commission, Vol. 5, p. 98.]

To glean some understanding of the magnitude of the investigatory organization which was speedily activated, we may turn to the Foreword of the Warren Commission Report, xii, from which we quote:

> The scope and detail of the investigative effort by the Federal and State agencies are suggested in part by statistics from the Federal Bureau of Investigation and the Secret Service. Immediately after the assassination more than 80 additional FBI personnel were transferred to the Dallas office, and a total [illegible]

vance to the investigation and by September 11, 1964, submitted over 2,300 reports totaling approximately 25,400 pages to the Commission. During the same period the Secret Service conducted approximately 1,550 interviews and submitted 800 reports totaling some 4,600 pages.

We deem it demonstrated beyond peradventure that the Department's files: (1) were investigatory in nature; and (2) were compiled for law enforcement purposes.[7] When that much shall have been established, as is so clearly the situation on this record, and the district judge shall so determine, such files are exempt from compelled disclosure.

II.

While the statute speaks for itself in the respect under consideration, we may note that the legislative history additionally explains:

> It is also necessary for the very operation of our Government to allow it to keep confidential certain material, such as the investigatory files of the Federal Bureau of Investigation.[8]

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[7] We are not at this point concerned with the "except" clause of subsection (7) which protects the Department's files "except to the extent available by law to a party other than an agency." *See* the definition of "party" in 5 U.S.C. § 551(3) and note 15, *infra*.

[8] S. Rep. No. 813, 89th Cong., 1st Sess., at 3 (1965); *see also* H.R. Rep. No. 1497, 89th Cong., 2d Sess., at 6 (1966). EPA v. Mink, 410 U.S. 73, 80, n.6 (1973), Frankel v. Securities and Exchange Commission, 460 F.2d 813, 817, (2 Cir.), *cert. denied*, 409 U.S. 882 (1972); *and see* Cowles Communications, Inc. v. Department of Justice, 325 F. Supp. 726, 727 (N.D.Cal. 1971), (where *in-camera* inspection was directed only to ascertain whether or not there was an investigatory file compiled for law enforcement purposes). *And see* Evans v. Department of Transportation of United States, 446 F.2d

In slightly different context to be sure, Judge Hays analyzed the Congressional purpose thus:

> If an agency's investigatory files were obtainable without limitation after the investigation was concluded, future law enforcement efforts by the agency could be seriously hindered. *The agency's investigatory techniques and procedures would be revealed.* The names of people who volunteered the information that had prompted the investigation initially or who contributed information during the course of the investigation would be disclosed. The possibility of such disclosure would tend severely to limit the agencies' possibilities for investigation and enforcement of the law since these agencies rely, to a large extent, on voluntary cooperation and on information from informants.[9] (Emphasis added).

There can be no question that 5 U.S.C. § 552 had as its principal purpose that there was to be disclosure to the public of the manner in which the Government conducts its business. Congress additionally was concerned with the dilemma in which the public finds itself when forced to "litigate with agencies on the basis of secret laws or incomplete information."[10] We have repeatedly

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821, 824, n.1, (5 Cir. 1971), *cert. denied*, 405 U.S. 918 (1972) and N.L.R.B. v. Clement Brothers Co., 407 F.2d 1027 (5 Cir. 1969).

[9] Frankel v. Securities and Exchange Commission, *supra*, note 8, 460 F.2d at 818.

[10] Bannercraft Clothing Company, Inc. v. Renegotiation Board, U.S. App. D.C. , 466 F.2d 345, 352 (1972), *cert. granted*, 410 U.S. 907 (1973); *and see* American Mail Line Ltd. v. Gulick, 133 U.S. App. D.C. 382, 411 F.2d 696 (1969); *see also* Grumman Aircraft Engineering Corp. v. The Renegotiation Board, No. 71-1730 (D.C. Cir. July 3, 1973).

made evident our appreciation of the principle that generally disclosure, and not withholding, of information is called for, especially where there is an adversarial posture presented as in *Bristol-Myers Co.* v. *FTC*, 138 U.S. App. D.C. 22, 25, 424 F.2d 935, 938, *cert. denied*, 400 U.S. 824 (1970.)" But the remedy appropriately provided in § 552(a)(3) is not available in every situation, and as we have previously noted, § 552(b) is explicit that § 552 does not apply to matters that are specifically exempted.

We are not here speaking of trade secrets, or personnel and medical files, or patent information or internal revenue returns, or yet other material which, by statute (*see, e.g.*, 41 CFR § 105-60.604, 1972), had been specifically exempted from disclosure. We are not treating of geological information or matter required by Executive order to be kept secret. We are not discussing any problem except that of compelled disclosure of Federal Bureau of Investigation investigatory files * compiled

---

" *And see*, generally, our discussion in Getman v. National Labor Relations Board, 146 U.S. App. D.C. 209, 218, 450 F.2d 670, 679-680 (1971); Sterling Drug, Inc. v. Federal Trade Commission, 146 U.S. App. D.C. 237, 244, 450 F.2d 698, 705 (1971); Soucie v. David, 145 U.S. App. D.C. 144, 151, 448 F.2d 1067, 1077 (1971); Irons v. Schuyler, 151 U.S. App. D.C. 23, 465 F.2d 608, *cert. denied*, 409 U.S. 1076 (1972); Grumman Aircraft Engineering Corp. v. Renegotiation Board, 138 U.S. App. D.C. 147, 425 F.2d 578 (1970).

Nothing in the foregoing cases runs counter to the Supreme Court's treatment in EPA v. Mink, 410 U.S. 73 (1973).

* Attorney General Richardson, acting pursuant to Title 28 U.S.C. Section 509, by Order No. 528-73, July 11, 1973, 38 Fed. Reg. No. 136, 19029, [and see 5 U.S.C. § 301] has amended earlier regulations relating to materials exempted from compulsory disclosure under the Freedom of Information Act. "Possible releases that may be considered under this section are at the sole discretion of the Attorney General and of those persons to whom authority hereunder may be delegated." The Order provides for access to material within the De-

for law enforcement purposes. Certainly the answer does not depend upon what this appellant desires to accomplish if access be afforded. The Court has told us that the Act does not "by its terms, permit inquiry into particularized needs of the individual seeking the information." *EPA* v. *Mink*, 410 U.S. at 86. Against the background we have hereinbefore set out, we may appropriately turn, particularly as a frame of reference, to the correspondence between the appellant and the Department prior to the institution of this action.

This appellant, in his letter of May 16, 1970 attached as an exhibit to his complaint, submitted to the Department of Justice the following:

> With regard to the spectrographic analysis, if you are not aware of it, not then having been in your present position, I think you should know that if it does not agree in the most minute detail with the interpretation put upon it by the Warren Commission, their Report is a fiction.

Appellant then transmitted the Department's form entitled "Request For Access To Official Record Under 5 U.S.C. 552(a) and 28 CFR Part 16," describing the material set forth in our footnote 3, *supra*. A further exhibit attached to the appellant's complaint discloses that the Department under date of June 12, 1970, wrote:

> *Spectrographic Analyses:* You have asked for access to the spectrographic analyses conducted on certain bullet evidence involved in the assassination.
>
> I regret that I am unable to grant your request in that the work notes and raw analytical

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partment's investigatory files compiled for law enforcement purposes "that are more than fifteen years old" subject to certain deletions which include "(4) *Investigatory techniques and procedures.*" (Emphasis added) *Compare* text quoted *supra*, and identified in Frankel v. Securities and Exchange Commission, 460 F.2d at 817-818, n. 9, *supra*.

data on which the results of the spectographic tests are based are part of the investigative files of the FBI and are specifically exempted from public disclosure as investigatory files compiled for law enforcement purposes. 5 U.S.C. 552(b)(7). The results of the spectrographic tests are adequately shown in the report of the Warren Commission where (Volume 5, pages 67, 69, 73 and 74) it is specifically set forth that the metal fragments were analyzed spectrographically and found to be similar in composition.

Our problem thus stems from what follows under the Freedom of Information Act after the Attorney General's exercise of the decisional process devolving upon him.

III.

The Department of Justice, headed by the Attorney General, 28 U.S.C. § 503, includes the Federal Bureau of Investigation, 28 U.S.C. § 531. The Attorney General is directly charged under 28 U.S.C. § 534 with the duty to acquire, collect, classify and preserve identification, criminal identification, crime and other records, and to exchange such records with and for the official use of authorized officials, not only of the federal government, but of the States and cities. So it was that the Bureau collaborated with the Dallas police.[11]

[11] Such cooperation regularly follows as a matter of duty in aid of law enforcement, indeed the magnitude of the effort, scarcely realized, has been delineated in *Menard* v. *Mitchell*, 328 F. Supp. 718, 721-722 (D.D.C. 1971), following our remand in that case, 139 U.S. App. D.C. 113, 430 F.2d 486 (1970).

Cf. Public Law 83-245, the Appropriations Act of 1964, providing funds for the Federal Bureau of Investigation for the "protection of the person of the President of the United States; acquisition . . . and preservation of identification and

Further appreciation of the daily activity of the Bureau may be seen in its annual report for 1972. The FBI had developed more than 345,000 items of criminal intelligence which had been disseminated to other Federal, state and local agencies engaged in law enforcement. More than 495,000 examinations of evidence had been conducted by the FBI laboratory to be submitted to law enforcement agencies. Organized crime investigations had ranged throughout the nation. Discretion respecting disclosure of the records in such matters devolved upon the Attorney General by virtue of 28 U.S.C. § 534. Moreover, under subsection (b) thereof, the exchange of records so gathered may be "subject to cancellation if dissemination is made outside the receiving departments or related agencies," Congress provided. It may to some appear *unthinkable* that the criminal investigatory files of the Bureau of Investigation, compiled for law enforcement purposes, are to be thrown open to some "person" as defined in 5 U.S.C. § 551(2) who asserts entitlement in reliance upon § 552(a)(3). Yet our appellant claims his "right" as a matter of law since in November, 1963, it was not a federal crime to kill a President. We need only surmise the consequences to law enforcement if any "person," knowing full well that an investigation has been conducted, can ask some federal court to compel disclosure of the Bureau's files.

Obviously, the statutory scheme of organization, as above referred to, calls for the exercise of discretion *by* the Attorney General respecting execution of the duties devolving upon him, and through him, upon the Federal Bureau of Investigation. We have no doubt whatever

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other records and their exchange with, and for the official use of, the duly authorized officials . . . of States . . ., such exchange to be subject to cancellation if dissemination is made outside the receiving departments."

that Congress was fully alive to the problem where investigatory files of the FBI were involved.

Congress knows full well that in the first instance an Attorney General in myriad situations must exercise the discretion conferred upon him by law. He must evaluate the evidence necessary to an informed judgment. He must decide whether to prosecute or not. He must decide whom to prosecute. He must decide when to prosecute. Functions in this area belong to the Executive under the Constitution, Article II, Sections 1 and 3, and, as here, specifically to the Attorney General under 28 U.S.C. § 509. Consider problems such as we find were assessed in *Pugach* v. *Klein*, 193 F. Supp. 630, 634-635 (S.D.N.Y. 1961), and *Moses* v. *Kennedy*, 219 F. Supp. 762, 765 (1963), *aff'd sub nom., Moses* v. *Katzenbach*, 119 U.S. App. D.C. 352, 342 F.2d 931 (1965). As Judge Wright there said

> . . . an investigation as to the adequacy or the execution of these laws is not a matter within the jurisdiction of the judicial branch of this Government.

And *see Newman* v. *United States*, 127 U.S. App. D.C. 263, 265, 382 F.2d 479, 481 (opinion by present Chief Justice Burger, 1967). The Attorney General's prosecutorial discretion is broad, indeed, and ordinarily at least, is not subject to judicial review. *Inmates of Attica Correctional Facility* v. *Rockefeller*, 477 F.2d 375, 380 (2 Cir. 1973); *Powell* v. *Katzenbach*, 123 U.S. App. D.C. 250, 359 F.2d 234 (D.C. Cir. 1965), *cert. denied*, 384 U.S. 906 (1966); *Touhy* v. *Ragen*, 340 U.S. 462, 467-469 (1951); cf. *Adams* v. *Richardson*, U.S. App. D.C. , F.2d (*en banc*, June 12, 1973); but we suggested that immunity respecting the exercise of discretion may well be unavailable were the Department to be under investigation by a court or grand jury when fraud or corruption might be involved, *Committee for*

Nuclear Responsibility, Inc. v. *Seaborg*, 149 U.S. App. D.C. 385, 391, 463 F.2d 788, 794. (1971). But this much is certain, (5 U.S.C. § 301 as part of Pub. L. 89-554, 80 Stat. 379), the Attorney General, like the heads of other Executive departments, was authorized to refuse disclosure under Exemption 7 if he could determine as here that the issue involved investigatory files compiled for law enforcement purposes.

IV

Congress surely realized that disclosure was not to be required in certain prescribed classifications. For example, section 552(b) provided that the section as a whole was not to apply to matters that are (3) "specifically exempted from disclosure by statute." *See*, as illustrative, the statutes identified in 41 CFR § 105-60.604 (1972).

Again, section 552(b)(1) exempted from disclosure matters "specifically required by Executive order to be kept secret in the interest of the national defense or foreign policy." That very language gave rise to an issue which this court first considered, followed by the Supreme Court's definitive pronouncements as to the steps to be taken respecting disclosure of materials coming within section 552(b)(5). Ruling that we misapplied that section,[11] the Court reversed, *EPA* v. *Mink*, 410 U.S. 73 (1973), observing at 82 after a review of the legislative history,

> Rather than some vague standard, the test was to be simply whether the President has determined by executive order that particular documents are to be kept secret. The language of the Act itself is sufficiently clear in this respect, but the legislative history disposes of any possible

[11] Mink v. Environmental Protection Agency, U.S. App. D.C. , 464 F.2d 742 (1971).

argument that Congress intended the Freedom of Information Act to subject executive security classifications to judicial review at the insistence of anyone who might seek to question them.

Lest there be any doubt as to the Supreme Court's teaching respecting Exemption (b)(1), its opinion, 410 U.S. at 84, emphasized:

> What has been said thus far makes wholly untenable any claim that the Act intended to subject the soundness of executive security classifications to judicial review at the insistence of any objecting citizen.

There was to be no room for challenge, no "balancing" function, no *in camera* inspection. Rather, upon the basis of the "showing and in such circumstances, petitioners had met their burden of demonstrating that the documents were entitled to protection under Exemption 1, and the duty of the District Court under Section 552 (a)(3) was therefore at an end." *EPA* v. *Mink*, 410 U.S. at 84.

In that very case, strikingly different treatment was prescribed even as to executive materials claimed to be immune from disclosure under Exemption 5. *EPA* v. *Mink*, 410 U.S. at 85 *et seq.* The applicability of Exemption 7 no less will turn ultimately upon a determination by the district court[11] that disclosure is not required —as in the instant case.

Granted that the Attorney General may designate certain investigatory files as having been compiled for law enforcement purposes, his *ipse dixit* does not finalize the matter, for there remains the judicial function of determining whether that classification be proper. Where

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[11] Cf. Cowles Communications, Inc. v. Department of Justice, *supra*, n. 8. See generally the discussion in Vaughn v. Rosen, U.S. App. D.C. , F.2d (Aug. 20, 1973).

the district court can conclude that the Attorney General's designation and classification are correct, the Freedom of Information Act requires no more. Here the record overwhelmingly demonstrates how and under what circumstances the files were compiled and that indeed they were "investigatory files compiled for law enforcement purposes." When the District Judge made that determination, he correctly perceived that his duty in achieving the will of Congress under the Freedom of Information Act was at an end."

" This appellant also argued that if Oswald had lived and had been brought to trial, he would have had a legal right to the spectrographic analyses here in question, and accordingly Weisberg must be accorded an equal right. He based this claim upon so much of subsection (b)(7) as appears in the clause "except to the extent available by law to a party other than an agency." Aside from the fact that there was no such prosecution, Oswald's "right" would have been recognized only to the extent that the wanted material could have been "available by law," and then only to himself as a "party" as defined in § 551(3). This appellant does not come within the definition of "party." The import of this language was discussed in EPA v. Mink, 410 U.S. at 86, indeed the Court would have allowed public access only to such materials as "a private party could discover in litigation with the agency." The short answer to appellant's claim in this respect is that he does not come within the terms of the Act. He was not engaged in litigation with an agency, and neither was Oswald.

thus he ruled that there was no claim upon which relief could be granted, that there was no issue as to any material fact, and that the Department was entitled to judgment as a matter of law."[*] The action was thereupon dismissed.

Affirmed.

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[*] *Cf.* Nichols v. United States, 460 F.2d 671 (10 Cir.), *cert. denied*, 409 U.S. 966 (1972).

Our appellant had sought to test the spectrographic analyses of materials (listed in our n. 3, *supra*) not unlike certain items listed in note 1 of Nichols, *supra*. There Nichols had sought to make his own scientific analysis of the described material, which the court found to be specifically exempted from disclosure by statute, pointing to § 552(b)(3). The opinion cited Pub. L. 89-318, 79 Stat. 1185, November 2, 1965, where the Attorney General acting in "the national interest" designated evidence considered by the Warren Commission to "be preserved." Such evidence pursuant to § 4 of that Act was to be placed under the jurisdiction of the Administrator of General Services for preservation under such rules and regulations as the Administrator might prescribe. (*See generally*, 41 CFR § 105-60.101, §§ 105-60.601, 60.602 and 60.604; and Vol. 11, Part 17, 23,002 Congressional Record, 89th Cong. 1st Sess., Sept. 7, 1965).

The court found—without more—that the rules and regulations are clearly within the grant of authority of Pub. L. 89-318, and that the materials sought by Nichols came within the exemption of § 552(b)(3).

[Special "Regulations Concerning Procedures for Reference Service on Warren Commission and Related Items of Evidence," National Archives Record Group 272, provide in subsection 5, in part, that materials which have been subjected to techniques of detailed scientific examination "will be withheld from researchers as a means of protecting them from possible physical damage or alteration and in order to preserve their evidentiary integrity in the event of any further official investigation of the assassination of President John F. Kennedy."]

BAZELON, *Chief Judge*, dissenting: In *Environmental Protection Agency v. Mink*,[1] Mr. Justice White, writing for a majority of the Court, reviewed the legislative history of one section of the Freedom of Information Act, that which exempts from disclosure "matters that are (1) specifically required by Executive order to be kept secret in the interest of the national defense or foreign policy."[2] On the basis of the legislative history and the explicit statutory language, the majority concluded that "Congress chose to follow the Executive's determinations in these matters . . . . Rather than follow some vague standard, the test was to be simply whether the President has determined by Executive Order that particular documents are to be kept secret."[3]

In this case, appellant Weisberg seeks the following information:

> Spectrographic analysis of bullet, fragments of bullet and other objects, including garments and part of vehicle and curbstone said to have been struck by bullet and/or fragments during assassination of President Kennedy and wounding of Governor Connally.

In response to Weisberg's request for this information, the Justice Department stated:

> . . . that the work notes and raw analytical data on which the results of the spectrographic tests are based are part of the investigative files of the FBI and are specifically exempted from public disclosures as investigatory files compiled for law enforcement purposes. 5 U.S.C. 552(b)(7). The results of the spectrographic tests are adequately shown in the report of the Warren Commission where (Volume 5, pages 67, 69, 73 and 74) it is specifically set forth that the metal fragments were analyzed spectrographically and found to be similar in composition.

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[1] 410 U.S. 73 (1973).

[2] 5 U.S.C. § 552(b)(1) (1970).

[3] 410 U.S. at 81-82.

Thus, we deal in this case, not with Section 552(b)(1), but with Section 552(b)(7). The latter provision exempts from disclosure "matters that are . . . investigatory files compiled for law enforcement purposes except to the extent available by law to a party other than an agency." I have no doubt that, as Judge Danaher's majority opinion concludes, the information sought in this case is lodged in a file originally compiled for law enforcement purposes. I cannot, however, agree with the majority that this fact automatically brings the information within the ambit of Section 552(b)(7). There remains the question whether such information is to be considered as resting solely within an "investigative file" when the results of the spectrographic tests have been made public in the Warren Commission report and when there is no indication that the Government contemplates use of the information for law enforcement purposes.

The reasons that support my position are fully stated in Judge Frank Kaufman's[4] majority opinion for the panel that originally heard this case, an opinion in which I concurred and which was withdrawn when the case was ordered to be reheard *en banc*. I set forth here the central part of Judge Kaufman's opinion:[5]

> In *Bristol-Myers Company v. F.T.C.*, 424 F.2d 935, 939-40 (D.C. Cir.), *cert. denied*, 400 U.S. 824 (1970), Chief Judge Bazelon, in reversing the grant of a motion to dismiss the plaintiff's Freedom of Information Act complaint, and in commenting upon the 5 U.S.C. § 552(b)(7) exemption, wrote:
>
> * * * [T]he agency cannot, consistent with the broad disclosure mandate of the Act, protect all its files

[4] United States District Judge for the District of Maryland; Judge Kaufman sat in this case by designation pursuant to 28 U.S.C. § 292(d) (1970).

[5] The footnotes of Judge Kaufman's opinion have been renumbered.

with the label "Investigatory" and a suggestion that enforcement proceedings may be launched at some unspecified future date. Thus the District Court must determine whether the prospect of enforcement proceedings is concrete enough to bring into operation the exemption for Investigatory files, and if so whether the particular documents sought by the company are nevertheless discoverable.

In the within case, no criminal or civil action relating to the death of President Kennedy is pending nor is it indicated by the Government that any such future action is contemplated by anyone. Nor is Weisberg the subject of any investigation. He simply asks for information which he alleges he is entitled to have made available to him under 5 U.S.C. § 552 (a)(3). The language of Section 552, supported abundantly by the legislative history of the Freedom of Information Act,* places the burden on the Government to show why non-revelation should be permitted, and requires that exemptions from disclosure be narrowly construed and that ambiguities be resolved in favor of disclosure. *See generally Getman v. N.L.R.B.*, 450 F.2d 670, 672 (D.C. Cir. 1971); *Soucie v. David*, 448 F.2d 1067, 1080 (D.C. Cir. 1971); *Wellford v. Hardin*, 444 F.2d 21, 25 (4th Cir. 1971); *Bristol-Myers Company v. F.T.C.*, *supra* at 938-40; *M. A. Shapiro & Co. v. Securities & Exchange Comm'n*, 339 F. Supp. 467, 469, 470 (D. D.C. 1972); *cf. LaMorte v. Mansfield*, 438 F.2d 418 (2d Cir. 1971) (Friendly, J.). In *Wellford v. Hardin*, *supra* at 25. Judge Butzner commented that 5 U.S.C. § 552(c) provides that the Act "'does not authorize withholding of information or limit the availability of records to the public, except as specifically stated'" and noted Professor Davis' emphasis upon "'[t]he pull of the word "specifically". . . .'" K. Davis, *The Information Act: A Preliminary Analysis*, 34 U. Chi. L. Rev. 761, 783 (1967).

• • • •

*S. Rep. No. 813, 89th Cong., 1st Sess. 3 (1965), hereinafter cited as Senate Report. House Report at 5.

The Court below granted the Government's motion to dismiss, not its motion for summary judgment. Thus, it seemingly accorded no weight to the affidavit of Agent Williams.[7] But even if that affidavit is given full consideration, it is a document which is most general and conclusory and which in no way explains *how* the disclosure of the records sought is likely to reveal the identity of confidential informants, or to subject persons to blackmail, or to disclose the names of criminal suspects, or in any other way to hinder F.B.I. efficiency.[8] The conclusion that the disclosure Weisberg seeks will cause any of those harms is neither compelled nor readily apparent, and therefore does not satisfy the Department's burden of proving under 5 U.S.C. § 552(b)

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[7] Weisberg contends that certain parts of the Williams' affidavit do not qualify for consideration under Federal Civil Rule 56. Those contentions, on remand, should, if Weisberg desires, be brought to the attention of the District Court.

[8] An F.B.I. investigatory file may generally relate to organized or other crime and may not have been originally intended for use in the prosecution of any named individuals, or, even if so originally intended, may no longer be intended for such use. The data contained in such a file may, however, require the protection of secrecy so as not to dry up future sources of information or to pose a danger to the persons who supplied the information or to prevent invasion of personal privacy. 5 U.S.C. § 552(b)(7) would appear sufficiently flexible to include within its protection such an investigatory file when and if such protection is required. Frankel v. Securities & Exchange Commission, 460 F.2d 813 (2d Cir. 1972); Evans v. Department of Transportation, 446 F.2d 821, 823-24 (5th Cir. 1971), *cert. denied*, 405 U.S. 918 (1972); Cowles Communications, Inc. v. Department of Justice, 325 F. Supp. 726, 727 (N.D. Calif. 1971). In such instances, *in camera* inspection by the District Court might be appropriate. See discussion *infra* at n.[11].

(7), as the Department must, some basis for fearing such harm.' Neither the F.B.I. nor any other governmental agency can shoulder that burden by simply stating as a matter of fact that it has so done, or by simply labelling as investigatory a file which it neither intends to use, nor contemplates making use of, in the future for law enforcement purposes, at

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• "The burden of proof is placed upon the agency which is the only party able to justify the withholding." House Report at 9. *And see* the specific wording of 5 U.S.C. § 552(a)(3) .... While it may be that the introductory words of Section 552(b) make the burden of proof provisions of Section 552(a)(3) inapplicable in determining whether the Section 552(b) exceptions apply (*but see* the contrary approach taken in all opinions, majority, concurring and dissenting, in Environmental Protection Agency, et al. v. Mink, et al., —— U.S. —— (January 22, 1973), and the Ninth Circuit's seeming assumption to the contrary in Epstein v. Resor, 421 F.2d 930, 932 (9th Cir. 1970)), that contention in no way compels any different conclusions than those expressed in this opinion. The underlying philosophy of Section 552 favors disclosure. *See* Senate Report at 3. Section 552(c) provides that Section 552 "does not authorize withholding of information or limit the availability of records to the public, except as specifically stated in this section." *See* the decision *supra* at pp. 7-8 re Wellford v. Hardin, *supra*. The thrust of Section 552(c) is that exceptions from the disclosure provisions of Section 552 are to be carefully construed. *See* House Report at 11; Senate Report at 10. To place the burden of proof on the plaintiff to prove the nonapplicability of a Section 552(b) exception when the Government as a rule has knowledge of nearly all the facts relevant to such an exception would be contrary to the disclosure philosophy of all of Section 552 and specifically of Section 552(c). Moreover, placing the burden of proof on the plaintiff would also seemingly run contrary to the underlying philosophy set forth in the House Report which, in explaining why the burden of proof was placed on the agency to justify the withholding of information in Section 552(a)(3), stated (at 9): "A private citizen cannot be asked to prove that an agency has withheld information improperly because he

least not without establishing the nature of some harm which is likely to result from public disclosure of the file. Something more than mere edict or labelling is required if the Freedom of Information Act is to accomplish its "primary purpose, i.e., 'to increase the citizen's access to government records.'" "

The above was, of course, written in the context of the facts of this case. In most cases perhaps, the Government may satisfy its burden of proof simply by establishing that the information sought was compiled for investigatory purposes and rests in an investigatory file, none of the contents of which have ever been made public. But that is not the case here.

I continue to agree with Judge Kaufman that the purpose of the Act should not be defeated if there is available a judicial technique for advancing it and at the same time ensuring that no harm comes to the interests Congress intended to protect. *In camera* inspection, as re-

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will not know the reasons for the agency action." *See also* Senate Report at 8. That same reasoning would seem equally applicable in determining the relationship among 552(a)(3), 552(b)(7) and 552(c).

• • • •

" Getman v. N.L.R.B., 450 F.2d *supra* at 672, in which Judge Wright quoted from Judge Bazelon's opinion in *Bristol-Myers*. *See* Philadelphia Newspapers, Inc. v. Department of H & U.D., 343 F. Supp. 1176, 1180 (E.D. Pa. 1972); Cowles Communications, Inc. v. Department of Justice, *supra* at 727.

"For the great majority of different records, the public as a whole has a right to know *what its Government is doing*" (emphasis supplied), Senate Report at 5-6. And *see also* the "conclusion" in House Report at 12: "A democratic society requires an informed, intelligent electorate, and the intelligence of the electorate varies as the quantity and quality of its information varies. A danger signal to our democratic society in the United States is the fact that such a political truism needs repeating. • • •"

quired by the remand order of the withdrawn opinion, is such a technique. The fact that, in *Mink*, the Supreme Court determined that the language and legislative history of the Section (b)(1) exemption did not permit the use of *in camera* inspection does not mean that the technique is unsuitable in every case involving the Section (b)(7) exemption." Indeed, its use seems most suitable in this case. Without it, the public will have to rely entirely upon the Justice Department's opinion that "[t]he results of the spectrographic tests are *adequately* shown in the report of the Warren Commission. . . ." [11] I suggest that Congress, in enacting the Freedom of Information Act, did not intend that the public would so have to rely.

Accordingly, I dissent, and continue to adhere to the views on this issue expressed by Judge Kaufman in his majority opinion for the panel.

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[11] As Judge Kaufman observed in note 8 of the withdrawn opinion,

> [I]n this case no Executive order, and no matter of national defense or foreign policy, is asserted to be involved. Further, it is to be noted that in remanding in connection with the application of 5 U.S.C. § 552(b)(5) exempting "inter-agency or intra-agency memorandums or letters which would not be available by law to a party other than an agency in litigation with the agency", Mr. Justice White in the *Environmental Protection Agency* case placed the burden of showing entitlement to the (b)(5) exemption upon the Government.

[11] Emphasis supplied.

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA FPMR (41 CFR) 101-11.6

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI (62-109060) DATE: 12/28/73

FROM : SAC, EL PASO (89-52) RUC

SUBJECT: ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY
NOVEMBER 22, 1963
DALLAS, TEXAS

Enclosed for the Bureau are an original and six copies of a LHM re WILLIAM AMON THOMPSON. LHM is being furnished to Bureau for background information should future inquiries be received regarding THOMPSON.

(3) - Bureau (Enc. 2) ENCLOSURE
1 - El Paso
RAA:cal
(4)

ST-111 REC-57 62-109060-767

8 JAN 8 1974

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to File No.

El Paso, Texas
December 28, 1973

ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY
NOVEMBER 22, 1963
DALLAS, TEXAS

On December 15, 1973, Sergeant Jack Babbitt, El Paso Police Department, telephonically contacted the El Paso Office of the Federal Bureau of Investigation and advised that a confidential source had informed him that a man, known only as Thompson, who was staying in Room 22 of a lower valley El Paso apartment, phone number 772-0371, was bragging about how he helped in the Kennedy assassination.

A check of the El Paso City Directory revealed that telephone number 772-0371 is subscribed to by the Papagayo Motel and Apartments, 5760 Alameda Avenue, El Paso, Texas.

On December 18, 1973, [Ralph Dominguez, Manager of the Papagayo Motel and Apartments, 5760 Alameda Avenue,] was interviewed and advised that the tenant in Room 22 registered as William Thompson, 392 North Sixth Avenue, #8, Phoenix, Arizona, on November 17, 1973. [Dominguez] knew that Thompson had been employed at T. V. Ray Television Sales, Fox Plaza Shopping Center, El Paso, but had recently been fired and was presently looking for employment. Thompson was driving a 1959 Ford Thunderbird with Arizona license plates SKH 735.

[Dominguez] described Thompson as a very talkative man who told some involved story about the assassination of President Kennedy and the three United States Astronauts who were killed in a fire. [Dominguez] stated that he considered Thompson to be "crazy" and had called the El Paso Office of the Secret Service. Special Agent Quinn of the Secret Service had advised [Dominguez] that Thompson was well known to the Secret Service.

On December 26, 1973, Special Agent Mundy Quinn, United States Secret Service, El Paso, Texas, advised that

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

62-109060-7107

ENCLOSURE

the Secret Service has known of Thompson since 1954, but that he is not considered dangerous to the people the Secret Service is authorized to protect. The Secret Service maintains an interest in Thompson to determine if he should become dangerous. Quinn talked to Thompson in November, 1973, by telephone and on December 18, 1973, at the Papagayo Motel. Thompson related to Quinn a theory that the assassination of Martin Luther King, President John Kennedy, Senator Robert Kennedy, the shooting of Governor Wallace and the deaths of the three United States astronauts burned in the space capsule fire, show an evolutionary process which indicates that President Nixon will be assassinated. Quinn advised that Thompson has talked to the Federal Bureau of Investigation several times in the past, the most recent in Phoenix, Arizona in May of 1973.

Quinn provided the following descriptive information regarding Thompson:

Name	William Amon Thompson
Sex	Male
Race	White
Date of birth	September 15, 1916
Place of birth	Portland, Oregon
Height	5'11"
Weight	164 pounds
Hair	Brown, cut short
Eyes	Brown
Driver's license	Arizona, B202915
Social Security Account Number	544-09-4418
Secret Service Number	CO2-35800
Docket number	9352

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA FPMR (41 CFR) 101-11.6

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI (62-109060) DATE: 1/25/74

FROM : SAC, PHOENIX (89-42) (RUC)

SUBJECT: ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY
DALLAS, TEXAS, 11/22/63
MISCELLANEOUS - INFORMATION CONCERNING
OO: DALLAS

Enclosed for the Bureau are four (4) copies of an LHM containing information received from an individual identifying himself as OSCAR LORENZO O'DONNELL.

Two copies of the LHM are enclosed for the information of Dallas.

One copy of the LHM has been furnished to Secret Service, Phoenix, Arizona.

EX-117

62-109060-7108

ENCLOSURE

2 - Bureau (Enc. 4)
2 - Dallas (Enc. 2)
2 - Phoenix
(1 - 66-937)

BCM:mc
(6)

15 JAN 30 1974

51FEB 2 1974

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

Phoenix, Arizona 85001
January 25, 1974

In Reply, Please Refer to File No.

ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY
NOVEMBER 22, 1963
DALLAS, TEXAS

Oscar Lorenzo O'Donnell, 610 North Sixth Avenue, Phoenix, Arizona, telephone number 257-1451, on January 15, 1974, telephonically advised an employee of the Phoenix FBI Office the following information:

O'Donnell has a renter named Melvin Perrell, who rents Apartment #4, located to the rear of the above-named property. According to O'Donnell, Perrell has mentioned on a number of occasions that he killed President Kennedy.

O'Donnell, his wife, and Perrell go out socially together, and after a few drinks, Perrell begins talking about the assassination. Perrell claims that he fired the shot that killed President Kennedy, but did not fire the shot that wounded Governor Connally. He has stated that he, Perrell, belonged to a syndicate (not named) and the gun used to shoot the President belonged to the syndicate. At the time of the assassination, Perrell resided just south of Fort Worth, Texas.

O'Donnell said that Perrell is a loner and is described as about 40 years of age. No further descriptive data was obtained of Perrell.

A check was made with Driver's License Records for the State of Arizona, Phoenix, Arizona, without locating a record on Melvin Perrell.

Indices of the FBI Office at Phoenix were negative regarding the name of Melvin Perrell.

Special Agent David Carpenter, U. S. Secret Service, Phoenix, Arizona, was telephonically advised of the above information on January 23, 1974.

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

ENCLOSURE 1c

62-109164-7106

RCD
22

John Breads
1828 N. James Street
January 12, 1974

Gentlemen:

I am writing this letter knowing the odds are greatly against my getting a reply. I feel I have to write it anyway. It concerns one detail surrounding the assasination of President John F. Kennedy. I am puzzled by the fact that Lee Harvey Oswald had in his posession the name, license and telephone numbers, of an FBI agent. I realize the agent, James P. Hosty, had interviewed Mrs. Oswald, Ruth Paine, and other neighbors, in early November of 1963. If he didn't quizz Oswald himself, I don't see how he could have obtained this information. Could he have possibly been in hiding when the agent came to his home, and have overheard the information? Oswald could have easily copied the license plate number from a ground floor window. This is the only possible explanation I can come up with.

I realize I am asking you to go out of your way, and using your valuable time, but I would deeply appreciate a reply. In this way, I feel much of the remaining doubt concerning the assasination can be clear up. I thank you very much for even reading my letter.

Sincerely,
John F. Breads Jr.

Federal Bureau of Investigation
Pennsylvania Avenue at 9th St., N.W.
Washington, D. C.

John F. Breads, Jr.
XXXXXXXXXXXXXXXXXXXXXXXX
1828 N. JAMES ST.
ROME, N. Y. 13440

REC-61 62-109060-7109

3 JAN 23 1974

NML EX 112

CORRESPONDENCE

January 23, 1974

REC-61 62-109060-7199

EX-112

Mr. John P. Breads, Jr.
1828 North James Street
Rome, New York 13440

John P. Breads

Dear Mr. Breads:

In reply to your letter of January 12th, as a matter of policy, all Special Agents of this Bureau in connection with investigations identify themselves by name and through a display of credentials. The telephone number of any of our field offices can be easily obtained inasmuch as this information is a matter of public record. In addition, the license number of any vehicle being driven by an FBI employee could be visually observed and obtained in this manner. I trust this information will satisfactorily answer your inquiry.

Sincerely yours,

C. M. Kelley

Clarence M. Kelley
Director

MAILED 23
JAN 23 1974
FBI

NOTE: Bufiles contain no record of correspondent. Reply coordinated with Inspector Jack E. Herington, Office of Legal Counsel.

RCD:cmc (3)

cmc

Asst. Dir. ... Ext. Affs. ... Fld. Svc. ... Inspection ... Intell. ... Laboratory ... Legal Counsel ... Plan. & Eval. ... Spec. Inv. ... Training ... Public Affs. Off. ...

FEB 4 1974

MAIL ROOM ☑ TELETYPE UNIT ☐

RCP

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI

DATE: 1/18/74

FROM : LEGAT, BERN (62-183) (P)

JAN 25 1974

SUBJECT: GEORGE W. HERALD
MISCELLANEOUS-INFO CONCERNING

[redacted]

"Die Weltwoche" has the reputation of having seen better days, and of tending toward sensationalism at present.

The articles make allegations as follows:

1. The Watergate scandal has shown that certain American politicians are capable of any crime. Therefore, the contention that OSWALD was the sole murderer of Pres. KENNEDY finds less credence than ever.

2. The film, "Executive Action" seeks to prove that Pres. KENNEDY was the victim of a right radical conspiracy.

3. Pres. KENNEDY's body was the subject of a deficient examination by an unqualified physician.

4. The fact that Pres. KENNEDY intended to reduce the American engagement in South Vietnam is the real reason for his assassination.

5. The investigation was restricted to proving the sole guilt of OSWALD, because otherwise it would have taken too much time and money.

(4) Bureau
1 - Foreign Liaison
1 - Dallas (Info)
2 - Bern (62-183; 62-43)
HDG:IM
(6)

REC-64 62-109060-7110

EX-109

18 JAN 22 1974

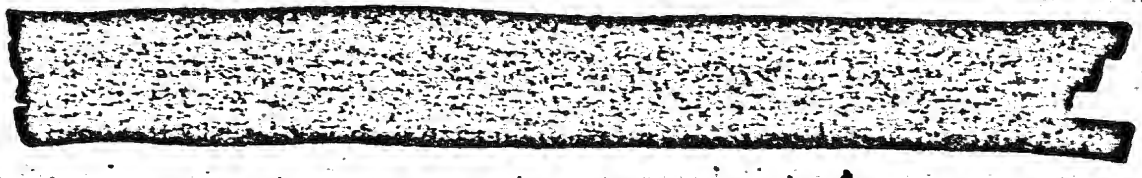
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Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

BER 62-183

RALPH NADER, Prof. CYRIL H. WECHT, Director of the Institute for Forensic Medicine in Pittsburgh; Detective THOMAS BUCHANAN, JOSIAH THOMPSON, photographer; PENN JONES, JR., editor; ROLAND MEHL, French radio director; MARGARET FIELD, historian; a lawyer who worked for the Warren Commission, unidentified by the author; PETER D. SCOTT, history professor, do not accept the findings of the Warren Commission, according to HERALD.

HERALD insinuates that ARTHUR SCHLESINGER, GEORGE NASH, SYLVIA MEAGHER and DAVID LIFTON believe in a conspiracy of the U.S. military and civilians against Pres. KENNEDY.



FBI

Date: 2/5/74

Transmit the following in _____ (Type in plaintext or code)

Via AIRTEL (Priority)

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Telephone Rm.
Director Sec'y

TO: DIRECTOR, FBI (62-109060)

FROM: SAC, DALLAS (89-43) (P*)

SUBJECT: ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY
Dallas, Texas
11/22/63
MISCELLANEOUS - INFORMATION CONCERNING

OO: DALLAS

Enclosed are six copies of an LHM containing information relating to a $3,000,000 libel suit filed in U. S. District Court at Dallas on January 23, 1974 by Dallas Police Officer ROY E. VAUGHN against the makers of "Executive Action", a movie about the assassination of President John Fitzgerald Kennedy.

Information from and concerning Patrolman ROY E. VAUGHN, Badge Number 1539, Dallas Police Department, in connection with captioned matter and the related shooting of LEE HARVEY OSWALD by JACK RUBY is contained in the following described reports of SA MANNING C. CLEMENTS at Dallas, Texas, captioned "JACK L. RUBY, aka, LEE HARVEY OSWALD (deceased) - VICTIM, CR, Dallas File 44-24016, Dallas File 44-1639":

Rec'd 62-109060-711

Report dated 11/30/63 - pages 128 and 129

Report dated 12/11/63 - pages 239-256

FEB 8 1974

(2) - Bureau (Enc. 6) ENCLOSURE
1 - Dallas
RPG:gg
(3)

6-LHM

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Approved: _____ Sent _____ M Per _____
(Special Agent in Charge)

61 FEB 1

U.S. Government Printing Office: 1972 — 455-574

DL 89-43

Report dated 12/14/63 - pages 45 and 46

Report dated 1/8/64 - pages 20-30

The foregoing information is furnished the Bureau for its information and no further action is contemplated by the Dallas Office.

UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No. 89-43

Dallas, Texas 75201
February 5, 1974

ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY
Dallas, Texas
November 22, 1963

"The Dallas Morning News", Dallas, Texas, on Page 6D in its January 24, 1974 issue, contained an article captioned, "Officer Files Suit on Kennedy Film" which reflects that Dallas Police Officer Roy E. Vaughn, on January 23, 1974, filed a $3,000,000 libel suit in the Federal Court of U. S. District Judge Eldon Mahon at Dallas, Texas, against the makers of "Executive Action", a movie about the assassination of President John Fitzgerald Kennedy. A copy of this newspaper article follows:

62-109060-7111

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

UNCLOSURE

(Mount Clipping in Space Below)

Officer Files Suit On Kennedy Film

A Dallas policeman filed a $3 million libel suit Wednesday against the makers of "Executive Action," a movie about the assassination of President John F. Kennedy.

Roy Vaughn filed the complaint against National General Pictures Corp., the maker of the film; General Cinema Corp. of Texas, the theater chain which has shown the film, and Mark Lane and Penn Jones, co-authors of the movie script.

The complaint says certain portions of the movie depict Vaughn as the police officer who knowingly permitted Jack Ruby to enter the basement of the Dallas police station Nov. 24, 1963, and shoot Lee Harvey Oswald, accused killer of President Kennedy, to death.

The suit also claims a written statement was distributed with the movie proclaiming, "Facts Behind The Making of The Film." According to the suit, that statement alleges "Jack Ruby is permitted to enter the basement and shoot Oswald," noting "Officer Vaughn acknowledged a man and allowed him to pass into the basement without stopping him or asking him for his credentials."

Vaughn says in his suit such allegations are "purely fictional and untrue" and constitute libel and slander by questioning his honesty, integrity and reputation as a peace officer. He is asking U.S. Dist. Judge Eldon Mahon to grant him $1 million in damages plus $2 million in punitive damages.

(Indicate page, name of newspaper, city and state.)
"The Dallas Morning News"
Dallas, Texas

Page 1-D

Date: 1-24-74
Edition:
Author:
Editor: Tom J. Simmons
Title:

Character:
or
Classification:
Submitting Office: DALLAS

☐ Being Investigated

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. E. S. Miller DATE: 2/19/74

FROM : Legal Counsel

SUBJECT: ROBERT P. SMITH
ASSASSINATION OF JOHN FITZGERALD KENNEDY

Robert P. Smith, who is the plaintiff in a pending civil action concerning his demands for access to information in the Kennedy assassination, visited my office at 2:00 p.m. on February 15, 1974. SA Richard C. Dennis of the Freedom of Information Unit, External Affairs Division, also attended this meeting.

Mr. Smith explained that his civil action has been delayed and will probably be delayed for some time pending the resolution of the Weisberg case in the Supreme Court. He explained his interest in the materials in the Kennedy investigation, and particularly described his interest in certain physical evidence relating to bullets and bullet fragments recovered at the scene of the assassination. He said that he is working with Dr. Wecht, the coroner of Allegheny County, Pennsylvania, in his studies and that he has been in contact with Professor Vincent P. Guinn, of the Department of Chemistry of the University of California at Irvine, California.

REC-16

Mr. Smith said that he would like to have the data used by the FBI Laboratory in the neutron activation analysis of the bullet fragments from the bullet identified as exhibit no. 399. This bullet inflicted wounds on President Kennedy and also wounded Governor Connally. He said that his specific interest is in determining whether neutron activation analysis had determined whether the same bullet had in fact wounded the President and Governor Connally. He explained that the letter from Mr. Hoover, addressed to the Honorable J. Lee Rankin, General Counsel of the President's Commission dated July 8, 1964, which described the results of neutron activation analyses, did not resolve the specific question of identification of the bullet fragments. He furnished a copy of that letter and it is attached for information.

62-109060

Enc.
1 - Mr. Franck (Attn: Mr. Farrington)
1 - Mr. Mintz

NOT RECORDED
145 MAR 6 1974

JAM:mfd

CONTINUED - OVER

55 MAR 7 1974

ORIGINAL FILED IN

Memorandum to Mr. E. S. Miller
Re: ROBERT P. SMITH

Mr. Smith was advised that I could furnish him no information from Bureau files and that I could not assure him that he could obtain any information by communicating with the Laboratory, but that if he chose to communicate further with the Bureau, he could do so by directing a letter to the Director. He expressed his appreciation and said he would consider further correspondence with the Bureau. He said that in view of the fact his case was being delayed, he was seriously considering filing a motion to have it dismissed.

RECOMMENDATION:

None; for information.

Form 1 (Rev. 5-22-64)

FBI

Date: 2/6/74

Transmit the following in _____ (Type in plaintext or code)

Via AIRTEL (Priority)

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Spec. Inv.	
Training	
Legal Coun.	
Telephone Rm.	
Director Sec'y	

TO: DIRECTOR, FBI (62-109060)

FROM: SAC, DALLAS (89-43) (P*)

SUBJECT: ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY
Dallas, Texas
11/22/63
MISCELLANEOUS - INFORMATION CONCERNING

OO: DALLAS

Enclosed for the Bureau are six copies, Los Angeles one copy and New Orleans one copy of an LHM setting forth an article appearing in "The L. A. Voice" of 1/25/74 by G. ROBERTS, captioned, "Did Mafia 'Hit' JFK?", which was received in the Dallas Office through the U. S. Mails on 1/31/74. This article states that the central question raised in the book "A Legacy of Doubt" by PETER R. NOYES, concerns whether organized crime or the mafia was involved in the assassination of President JOHN FITZGERALD KENNEDY.

The Bureau's attention is called to the fact that the article contains similar information to that furnished by [redacted] Hollywood, California, to the Los Angeles Office on 5/5/69 as set forth in Los Angeles' LHM dated 6/20/69 captioned, "KENSALT" and furnished Bureau by Los Angeles letter to Bureau dated 6/16/69 in the KENSALT case, Los Angeles File 56-156.

1-T ENCLOSURE 11-T REC-53 62-109060-7112

(2) - Bureau (Enc. 5)
1 - Los Angeles (105-15823) (Enc. 1)
1 - New Orleans (89-69) (Enc. 1)
1 - Dallas

RPG:gg
(5)

3 FEB 9 1974

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

DL 89-43

A copy of the enclosed LHM is being furnished each of the Los Angeles and New Orleans Offices for their information. No further action is contemplated by Dallas.

UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No. 89-43

Dallas, Texas 75201

February 6, 1974

ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY
Dallas, Texas
November 22, 1963

On January 31, 1974, the following newspaper article from "The L. A. Voice" of January 25, 1974 by G. Roberts, was received through the U. S. Mails by the Dallas Office of the Federal Bureau of Investigation (FBI) addressed "To: Special Agent in Charge, FBI Office, Federal Bureau of Inyestigation, Dallas, Texas Division, Mercantile Contintal Bldg., Dallas, Texas", bearing return address "G. Roberts, PO Box 74251, LA CA 90004".

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

ENCLOSURE 62-109060-7112

L.A. VOICE

Vol. 1, No. 2 January 25, 1974

DID MAFIA 'HIT' JFK?

New evidence revealed.

SEE PAGE 5

LA Voice January 25, 1974

Mafia linked to JFK death

By G. Roberts

Was organized crime or the Mafia involved in the J.F.K. assassination?

That is the central question raised in the book, A Legacy Of Doubt, authored by KABC-TV news producer Peter R. Noyes. It contains sensational new disclosures which make the "official" version of the assassination seem more and more like the bungle of the century, or, an intentional cover-up—as if the "official" version hasn't already been discredited enough. Following is the story of a man who "fooled" the FBI—and has fled to Mexico!

"I think we've needed a special study zeroing in on the relation of organized crime to the J.F.K. assassination for some time now," Noyes explained.

Unlike Executive Action (although there are some parallels), Noyes' A Legacy Of Doubt is not fiction and the names were not changed to protect the guilty (or, at least in Noyes' view, potentially guilty).

Noyes, throughout his book, raps the Jim Garrison theory that the CIA or Clay Shaw had much to do with the Kennedy assassination.

Yet, oddly enough, Noyes was brought into the writing of his book when approached by a representative of Garrison's in January of 1969—when Noyes was the producer of the Jerry Dunphy News at KNXT—TV in Hollywood.

Former Special FBI Agent William W. Turner inquired if Noyes would authorize KNXT or C.B.S. News to play the Zapruder film on its airtime (a film of the JFK assassination suggesting that JFK was hit from the front, as well as the back, almost simultaneously). Turner also asked Noyes if he would check into the identity and background of one "Jim Braden," the man who has since "disappeared."

Noyes didn't or couldn't get C.B.S. to play the Zapruder film over objections from Life Magazine, but he did check out "Jim Braden"—and then the "fun" began!

Noyes found the name of Jim Braden in the exhibits presented to the Warren Commission by Dallas Sheriff Bill Decker. (One of Decker's deputies had taken Jim Braden into custody in Dealey Plaza, and his reports were printed in the Warren Commission Report, Vol. 19, pages 469 and 527.)

The deputy sheriff who took Braden into custody did not "run" Braden's fingerprints, as Braden was not technically arrested or fingerprinted. But Braden's California drivers license number (No. H751775) was recorded.

Noyes "ran" Braden with the California Dept. of Motor Vehicles and learned that the California drivers license had originally been issued to Jim Braden under another name: Eugene Hale Brading! Brading had his name changed on his California drivers license on September 10, 1963.

Noyes was also able to locate a copy of an FBI report dated January 29, 1964 (now Warren Commission Document 401, page 2). The FBI report, which was five paragraphs long, contained the results of an interview with Jim Braden in Los Angeles on January 28, 1964, by Los Angeles-based Special FBI Agents Chester C. Orton and John K. Anderson.

Braden had essentially told the FBI what he had told the Dallas County Sheriffs office—that he was in Dallas on



A LEGACY OF DOUBT *makes it clear that Edgar Eugene Bradley of North Hollywood (r) was completely innocent in the Garrison probe. Richard Sprague, an associate of D.A. Garrison, is seen (l) shaking hands with Bradley.* *(Photo by G. Roberts)*

oil business, had walked into a building in Dealey Plaza after the assassination to make a telephone call to his family, and had been picked up by the Sheriff because he was a stranger to building employees. (Braden indicated to the FBI and the Sheriffs office that he had been apprehended in the Dal-Tex Bldg., while Mr. Noyes believes Braden has been picked up in the Texas School Book Depository Bldg., where Oswald allegedly had been!)

The FBI evidently did not know that Jim Braden was, Eugene Hale Brading, whom Noyes says is an important member of organized crime in the United States. Noyes wrote that the FBI investigation was, thus, not complete because it hadn't studied Braden as Brading, and never established which building Braden-Brading actually came in and out of!

Noyes then began collecting information on both Brading and the Dallas assassination with the California State Atty. General's office, the LAPD's Organized Crime Intelligence Division (OCID), the LAPD Homicide Division, the Federal Bureau of Investigation, the U.S. Probation Dept., the Los Angeles County Sheriffs Office, IRS Intelligence, the Miami Crime Commission, and various other governmental-type law-enforcement agencies. Noyes also worked with members of Intertel, a private investigation organization, and the national Committee to Investigate Assassinations (CTIA).

Braden-Brading, it turned out, had a long FBI "rap sheet," or police record. As FBI No. 799431, Noyes alleges that Braden-Brading was born on November 30, 1914 as one of three sons to Charles and Millie Brading of Kansas. At age 19, Noyes reported, Braden-Brading was first sentenced to prison in Kansas for burglary, in 1934.

When Braden-Brading supposedly got out of prison in 1938, he moved on to Miami, Florida. Noyes states that Braden-Brading's FBI rap sheet discloses an arrest on February 24, 1941 for running a gambling house.

During the Second World War he was arrested at least three times for selling gasoline ration coupons on the black market.

"Intelligence information indicated that Brading was slowly weaving his way into the mob's hierarchy and that he was a man who was going places," Noyes wrote. In 1948 he was arrested in Camden, New Jersey, as a witness in a criminal case.

"Sometime in 1950 Brading moved to El Paso, Texas, and became associated with Victor

Continued on Page 7

FD-302 (Rev. 1-25-61) FEDERAL BUREAU OF INVESTIGATION

1

Other Individuals and Organizations Involved Date of Interview 1/29/64

JIM BRADEN, 621 South Barington Drive, Apartment 6, Los Angeles, furnished the following information:

BRADEN is a crude oil producer. His mailing address is 215 South La Cienega Boulevard, Beverly Hills, California. He was in Dallas, Texas on November 22, 1963 on business. He had been in Dallas twice before, but that was over ten years ago. He is not familiar with Dallas.

On November 22, 1963, while on Elm Street trying to get a cab, he heard people say that President JOHN F. KENNEDY had been shot. He wanted to telephone his family, so he made inquiry and ascertained there was a telephone on the third floor of the building located directly across the street from a building which was completely surrounded by police with drawn guns, from which building the fatal shots had been fired at President KENNEDY.

BRADEN entered the building, proceeded to the third floor via elevator, found that the telephone did not work and returned to the street level via elevator. As he left, the elevator operator asked him if he worked in the building and finding that BRADEN did not, immediately called a police officer who escorted BRADEN to the Sheriff's office which was within walking distance. There BRADEN was held for two or three hours and finally questioned and released.

BRADEN has no information concerning the assassination and both LEE HARVEY OSWALD and JACK RUBY are unknown to him.

On 1/28/64 at Los Angeles, California File # Los Angeles 105-15823

by CHESTER C. ORTON and SAs JOHN K. ANDERSON /mkk Date dictated 1/29/64

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Mafia in JFK death?

LA Voice

From Page 5

Emmanuel Pereira, a self-described sportsman and confidant of the Mafia's ranking echelons," Noyes stated.

After 1950, Braden-Brading's specialty was making it with "very rich dames" and then splitting. Noyes reports. The FBI arrested him and Pereira on August 11, 1951, for embezzlement.

They were found guilty of fraud and misues of the mails. They were also under investigation by the Bureau of Internal Revenue.

After resolving their legal problems in Texas, they allegedly moved to Denver, becoming associated with, according to Noyes, "two leading Mafia figures in the Rockies, the brothers Eugene and Clyde Smaldone, also known as 'Checkers' and 'Flip Flop'."

They are also alleged to have associated with James (Jimmy the Weasel) Fratianno, Clarence Rhodes and Stephen Sambor, according to a letter written by Capt. James Hamilton of the LAPD's Intelligence Division.

Other associates, Noyes says, are Harold (Happy) Meltzer and Joe, Freddie and George Sica.

At the time of the John F. Kennedy assassination, Braden-Brading was out of federal prison on parole and reporting to the U.S. Probation Dept. Under the name Jim Braden, Noyes states that it was Brading who was a charter member of LaCosta Country Club in San Diego (No. NB-135). This happened in January of 1964, when LaCosta was set-up, during the same month when the FBI questioned him in Los Angeles "without knowing who he really was."

While visiting Dallas when President Kennedy was assassinated there, Braden-Brading apparently met with Dallas oil figure Lamar Hunt. Braden-Brading has allegedly been to see Lamar Hunt on "oil business," according to various documentations he left with federal parole authorities. (The parallels with Executive Action became more clear.)

Braden-Brading, it should be noted, "denied" that he had actually met Lamar Hunt, however, while being questioned by the LAPD when the LAPD was investigating his possible connection to the assassination of Robert F. Kennedy. Braden-Brading told LAPD Sgt. Chic Guitierrez that it was Roger Bauman, Morgan Holbert Brown and Duane Hermin Nowlin who had actually seen Lamar Hunt. Noyes states that all three of these men have organized crime connections.

Braden also, apparently, worked on the same floor of the Pere Marquette Bldg. in New Orleans during visits to that City in the fall of 1963 where Garrison suspect David William Ferrie also worked.

"The connections with Ferrie are most important," Noyes added in the recent interview. Noyes concedes that office location proximity is by itself not proof of anything in particular, but Noyes also says on page 158 of his book:

"It appears that Ferrie and Brading were within shouting distance of each other in October of 1963. The parallels between the two cannot be ignored. Both were connected with the highest echelons of organized crime. Ferrie with Carlos Marcello in New Orleans, and Brading with members of the Mafia in both California and Colorado."

David Ferrie was the Garrison-investigation figure whom the D.A. once called "one of history's most important individuals." While Garrison has harped on Ferrie's ties to the Support Division of the Central Intelligence Agency and its Cuban interest, Noyes has concentrated on Ferrie's connections with Carlos Marcello.

Marcello, well known to the FBI as No. 292542, is the alleged chief of Mafia operations in Los Angeles and throughout much of the South. IN April of 1961 former U.S. Atty. Gen. Robert F. Kennedy had Marcello deported from New Orleans to Guatemala. In June of 1961 Marcello returned to the U.S Noyes and a number of other

organized crime experts believe that Ferrie, a top-notch aircraft pilot, flew Marcello back to the U.S.

This was during the same period when Cuban exiles failed to re-take Cuba from Fidel Castro and the communists, having lost the Bay of Pigs battle.

David Ferrie continued to work for Carlos Marcello, and was in Court with Marcello in New Orleans when Kennedy was assassinated on 11/22/63.

In Garrison's own book, A Heritage Of Stone, Garrison presents as much information as he could trying to link David Ferrie to Jack Ruby, Lee Harvey Oswald, etc. Garrison, as pointed out earlier, concentrated on their CIA connections, ignoring the Mafia.

Noyes apparently feels that Braden-Brading was also affiliated with this same group of suspects, for the Mafia.

In December of 1967 Garrison charged Edgar Eugene Bradley of North Hollywood with "conspiracy." Noyes indicates that Bradley was charged at Mafia suggestion or approval in order to protect Braden-Brading! E. E. Bradley, in December of 1967, was a Reserve Police Sgt. with the City of Burbank, and he had no crime record.

Noyes details how E. E. Bradley, a conservative activist affiliated with the Rev. Carl McIntire, had a series of run-ins with a group of California rightwingers affiliated with the Minutemen. Noyes says that this group of "minutemen" allegedly gave false information to Garrison investigators as part of a feud with E. E. Bradley. Noyes identifies one of the Minutemen as Dennis Patrick Mower, who, at age 16, was allegedly one of the Minutemen chiefs in Southern California.

Garrison withdrew the complaint against E. E. Bradley in 1970. E. E. Bradley was not one of the tramps taken into custody in Dealey Plaza, had not been in New Orleans in 1963 visiting David Ferrie, etc.

In helping Bradley try to win his good name back, Garrison associate Richard Sprague recently came out here and shook hands with him. "My wife always told me he was innocent, and she was right," Sprague reflected. (Sprague is on the national board of the Commission to Investigate Assassinations.)

According to Mafia expert Ed Reid, writing in The Grim Reapers, Carlos Marcello had vowed to get that "little son of a bitch," Robert Kennedy, as early as September of 1962. By November of 1963, Robert Kennedy had, Reid says, singled out Marcello, James R. Hoffa and Sam Giancana for a new McClellan committee probe.

Noyes book also speaks out on Robert Kennedy's assassination in Los Angeles on June 5, 1968. When the LAPD's Special Unit (code name "Senator") investigating the case was confronted with the Noyes data on Braden-Brading, they U.S. assigned LAPD Sgt. Chic Gutierrez to interview Braden-Brading. (Sgt. Gutierrez is now deceased!)

The LAPD was fascinated with some of Braden-Brading's connections, and former LAPD Detective Bureau Chief Robert Houghton wrote about Braden-Brading without mentioning his name in Special Unit Senator.

S.U.S. was "unable" to "prove," however, that Braden-Brading was connected with convicted assassin, Sirhan B. Sirhan. Robert B. Kaiser, author of RFK Must Die, did find some Sirhan connections to organized crime, and, both the far-right and the far-left.

Anyone familiar with organized crime in America knows that nothing shook up the underworld more than the Joseph Valachi defection and television appearances. "Seven weeks after Valachi took the stand, President Kennedy was assassinated in Dallas and the Justice Department's crusade against organized crime began to lose its steam," mafia expert Ralph Salerno wrote in The Crime Confederation (page 316).

"If any President ever gave them a real hard time, they probably would hit him, and no one would believe it had been them," Salerno quotes NYPD B.S.S. Lt. Frank A. Scaffardi as having once said (page 5). "But they don't want to rock the boat—and he doesn't bother them" (meaning President

Nixon, presumably), Lt. Scaffardi added. (The B.S.S. is the Bureau of Special Services, "otherwise known as the 'Bull Shit Squad,'" Salerno says.)

"If the scale tips the other way, and they (the Mafia) have more to gain by someone's death than they have to lose, then he's a dead man, whether he's a cop, the President of the United States, or whoever," Lt. Scaffardi also once told NYPD Police Academy recruits.

Well, as Noyes would say, both of the Kennedys did rock the boat. The Kennedy administration was hitting organized crime as hard as it could. So, what was more likely to get both JFK and RFK killed: (1) talking about getting out of Vietnam, or, (2) not just talking, but doing something about the criminals involved in the great theft of this nation? (This is not to say, however, that other powerful sectors of the U.S. didn't, or wouldn't, also approve of the action, or, couldn't have known about it and co-operated with it.)

In the court of legalistic intrigue, Noyes has managed to nail down certain failures of both the Warren Commission and the FBI to check out completely and properly all of the main, important leads. That is the contribution Noyes, and A Legacy Of Doubt, has made.

How many other "suspects" besides Jack Ruby, David Ferrie (and perhaps Jim Braden-Eugene Brading) had connections with either Larmar Hunt, the National Crime Syndicate or Mafia chiefs such as Nick Licata, Meyer Lansky, Carlo Gambino, Carlos Marcello, etc.?

The Noyes book does have its shortcomings, however. Most critics of the Warren Commission Report can perhaps rightly point to Dr. Josiah Thompson's Six Seconds In Dallas and find enough evidence to contradict the Noyes view that Oswald fired a gun at Kennedy that day.

"Noyes doesn't know enough about the physical evidence in the case," JFK assassination researcher Fred Newcomb of Sherman Oaks has said. "I doubt very much that 'organized crime' did it. They happen to be on Noyes' bad list. But researchers aren't supposed to start investigating the case from a point of view of trying to nail "whoever you hate" and pinning the assassination on them. You've got to begin working on the evidence itself in the case and work forward from that point," said Newcomb.

In the January 4, 1974 edition of the Los Angeles Free Press, that publication ran a review of Noyes book and blew-up a photo that appears at the front of the book. The photo was purported to be "Jim Braden-Eugene Brading" in Dealey Plaza, although the Free Press did not Braden-Brading in publishing the photo.

Upon seeing the article and the photo, I mailed both to one

of Braden's ex-wives, who is given considerable mention in Noyes book. I asked her if the photo was, in her opinion, the Jim Braden whom she once was married to.

"The photograph doesn't come close to any resemblance of Mr. Braden. I cannot help you in any way . . . Shouldn't this end the whole thing?" Mrs. Mildred Bollman stated on January 10.

Mrs. Bollman was divorced from Jim Braden in October of 1963. Although she is somewhat wealthy, Braden was not able to con her out of any money. "He's being made another patsy or scapegoat," Mrs. Bollman advised me in a telephone interview on November 19, 1973.

In summary, the Noyes book does provide critics of the Warren Commission Report with some new directions in the hopes of re-opening the Warren Commission investigation. Who can seriously believe that Oswald acted alone (if at all) in the Kennedy assassination and the shooting of Dallas Police Officer J. D. Tippitt?

As for Jim Braden-Eugene Brading, there are several possibilities. One is that he just "happened" to walk into the wrong building; another, that he is a "hoodlum" who walked into the wrong building in Dealey Plaza; a third, that he was a crime syndicate "intelligence officer" monitoring Dealey Plaza for the Mafia (just as U.S. Army Intelligence seems to have done the same thing for itself)—a fourth view (which is what Mr. Noyes probably contends), which is that Braden was a syndicate supervisor at the assassination site. Or, finally, that there is more than one person using the Braden-Brading identity. At any rate, Braden-Brading has since "disappeared," and was reportedly last seen in Mexico City.

One way or another, Pete Noyes has zeroed in on organized crime just as he said he would. He suggests, finally, that the CIA and the FBI, the KGB and the C.F.R., Lyndon Johnson and the Secret Service, Lamar Hunt and even Richard Nixon and Standard Oil didn't do it and are clean after all, unless they are all secretly linked with the Mafia!

It would be great if Braden-Brading could be found, but considering the way things have gone during the assassination "investigation" fiascos, it's doubtful he ever will be found—alive (Mafia hit-men are reportedly out to get him—if they haven't already done so).

The disconcerting conclusion to be drawn from studies of the J.F.K. and R.F.K. assassinations is that those responsible are so powerful no one whom they don't wish to know the truth about them ever will know the truth about them.

THE UNIVERSITY OF KANSAS MEDICAL CENTER
RAINBOW BOULEVARD AT 39TH STREET
KANSAS CITY, KANSAS 66103

SCHOOL OF MEDICINE
DEPARTMENT OF PATHOLOGY AND ONCOLOGY

(913) 831-1070

February 24, 1974

Clarence M. Kelley, Esq.,
Director, Federal Bureau of
Investigation, Washington, D.C.

Re: Records of the
Warren Commission

Dear Mr. Kelley:

I should like to obtain 8x10 glossy prints of Commission Exhibits 562 and 564. Prints previously prepared for me by the Archivist are of poor quality inasmuch as they are second generation prints in which the engraver's grid marks are clearly visible. I am advised that the FBI has the original negatives.

Also I should like to obtain 8x10 glossy prints of the whole primers showing firing pin marks of certain cartridges being Commission Exhibits 141, 543, 544, 545, 557(a) and 557(b). I want the ones which were all taken under identical lighting conditions, at the same magnification, and printed at the same magnification. Some of these were used in Commission Exhibits 559-565 and 613-624.

Enclosed is personal check number 6757 payable in the amount of $4.00 calculated at 50¢ per print as previous photographs of July 18, 1971.

REC 27 62-109060-7113

Shall look forward to hearing from you.

Sincerely,

John Nichols, M.D.
Associate Professor of Pathology

Enclosure: Check

EX-111

REC 21 62-109060-7113

March 6, 1974

John Nichols, M.D.
Associate Professor
Department of Pathology and Oncology
School of Medicine
The University of Kansas Medical Center
Rainbow Boulevard at 39th Street
Kansas City, Kansas 66103

Dear Dr. Nichols:

This will acknowledge receipt of your letter dated February 24th in which you enclosed a check in the amount of $4. We are in the process of preparing the documents you requested and will forward them to you upon completion.

We are of the opinion that we will continue to receive requests such as yours in the future. However, the FBI Laboratory does not have the manpower nor was it designed to furnish documents of this nature to the public on a volume basis. Consequently, we regret to inform you that we will be unable to honor any future requests you should make for similar documents. We trust you will understand our position in this matter.

Sincerely yours,

D. M. Kelley

Clarence M. Kelley
Director

MAILED 23
MAR 6 1974
FBI

1 - Office of the Deputy Attorney General - Enclosure
1 - Mr. Briggs White - Enclosure
Attention: Mr. Shaneyfelt
1 - Bufile 62-115530 (FOI-REPLIES)

NOTE: Substantial correspondence has previously been had with Nichols concerning the assassination of President Kennedy. By letter 7-3-73, Nichols requested similar documents and was furnished requested copies at a charge of 50¢ per print. This reply was coordinated with John L. Gallinger, Departmental attorney, Office of Legal Counsel. Lyndal Shaneyfelt of the Laboratory is having the documents prepared. Check in the amount of $4 is being retained in the FOIA Unit until completion of request.

RD:law (7)

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5 MAIL ROOM TELETYPE UNIT

FBI/DOJ

REPORT
of the
LABORATORY

FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D. C.

November 21, 1963

To: Mr. Jesse E. Curry
Chief of Police
Dallas, Texas

This communication and the enclosures are the property of the FBI and are loaned to your agency; it and its contents are not to be distributed outside your agency. Its use will be limited to official proceedings by your agency. The contents may not be disclosed to unauthorized persons without the specific approval of the Bureau. Unauthorized disclosure may result in civil action.

John Edgar Hoover, Director

Re: ASSASSINATION OF PRESIDENT
JOHN F. KENNEDY

YOUR NO.
FBI FILE NO. PC-[illegible] BX
LAB. NO. D-[illegible] AX

Examination requested by: Addressee

Reference: See below

Examination requested: Firearms - Spectrographic - Microscopic Analyses - Fingerprint - Document

Specimens received:

Evidence received from Special Agent Elmer L. Todd, Washington Field Office of the FBI on 11/22/63:

Q1 Bullet from stretcher

Evidence received from Special Agent Orin Bartlett of the FBI on 11/22/63:

Q2 Bullet fragment from front seat cushion
Q3 Bullet fragment from beside front seat

2-Chief, U. S. Secret Service

2-FBI, Dallas

(continued on next page)

Evidence received from Special Agent James W. Sibert and Special Agent Francis O'Neill, Jr., of the Baltimore Office of the FBI on 11/23/63:

Q4 Metal fragment from the President's head
Q5 Metal fragment from the President's head

Evidence received from Special Agent Vincent L. Drain of the Dallas Office of the FBI on 11/23/63:

Q6 6.5 millimeter Mannlicher-Carcano cartridge case from building
Q7 6.5 millimeter Mannlicher-Carcano cartridge case from building
Q8 6.5 millimeter Mannlicher-Carcano cartridge from rifle
Q9 Metal fragment from arm of Governor John Connolly
Q10 Wrapping paper in shape of a large bag
Q11 Suspect's shirt
Q12 Blanket
Q13 Bullet from Officer Tippit

K1 6.5 millimeter Mannlicher-Carcano rifle, with telescope sight, Serial No. C2766
K2 Paper and tape sample from shipping department, Texas Public School Book Depository
K3 .38 Special Smith and Wesson revolver, Serial No. V510210, Assembly No. 65248

Evidence obtained by FBI Laboratory personnel during examination of the President's limousine:

Q14 Three metal fragments recovered from rear floor board carpet
Q15 Scraping from inside surface of windshield

Also Submitted: Photograph of rifle K1
Finger and palm prints of Lee Harvey Oswald

Results of examinations:

The bullet, Q1, is a 6.5 millimeter Mannlicher-Carcano rifle bullet. Specimen Q1 weighs 158.6 grains. It consists of a copper alloy jacket with a lead core.

PC-78243 BX

(continued on next page)

Specimen Q2 is a portion of the core of a rifle bullet. Specimen Q2 weighs 44.6 grains and is composed of a portion of the copper alloy jacket and a portion of the lead core. Specimen Q3 is a portion of the base section of a copper alloy rifle bullet. Q3 weighs 21.0 grains and is composed of a section of the jacket from which the lead core is missing. It could not be determined whether Specimens Q2 and Q3 are portions of the same bullet or are portions of two separate bullets.

The rifle, K1, is a 6.5 millimeter Mannlicher-Carcano Italian military rifle Model 91/38. Test bullets were fired from this rifle for comparison with specimens Q1, Q2 and Q3. As a result, Q1, Q2 and Q3 were identified as having been fired from the submitted rifle, K1.

Specimens Q6 and Q7 are 6.5 millimeter Mannlicher-Carcano cartridge cases. They were manufactured by the Western Cartridge Company, East Alton, Illinois, as was the 6.5 millimeter Mannlicher-Carcano cartridge, Q8.

Test cartridge cases obtained from the submitted rifle were compared with specimens Q6 and Q7. As a result, specimens Q6 and Q7 were identified as having been fired in this rifle. The bullet, Q13, from Officer Tippit, is a .38 Special copper-coated lead bullet. Q13 weighs 156.6 grains and possesses the physical characteristics of 158 grain Western-Winchester revolver bullets. The surface of Q13 is so badly mutilated that there are not sufficient individual microscopic characteristics present for identification purposes. It was determined, however, that the .38-Special Smith and Wesson revolver, K3, is among those weapons which produce general rifling impressions of the type found on Q13.

The lead metal of Q4 and Q5, Q9, Q14 and Q15 is similar to the lead of the core of the bullet fragment, Q2.

A small tuft of textile fibers was found adhering to a jagged area on the left side of the metal bolt plate on the K1 gun. Included in the tuft of fibers were gray-black, dark blue and orange-yellow cotton fibers which match in microscopic characteristics the gray-black, dark blue and orange-yellow cotton fibers composing the Q11 shirt of the suspect. These fibers could have originated from this shirt.

PC-76243 DX

(continued on next page)

A single brown viscose fiber and several light green cotton fibers were found adhering to the Q10 paper bag. These fibers match in microscopic characteristics the brown viscose fibers and light green cotton fibers present in the composition of the Q12 blanket and could have originated from this blanket.

It is pointed out, however, that fibers do not exhibit sufficient microscopic characteristics to be positively identified as originating from a particular source to the exclusion of all others.

No fibers were found on the K1 gun that could be associated with the Q12 blanket and no fibers were found on the Q10 paper bag that could be associated with the Q11 shirt.

The debris, including foreign textile fibers and hairs, removed from the Q12 blanket and Q11 shirt has been placed in pillboxes for possible future comparisons. These pillboxes and the glass microscope slides containing fibers removed from K1 and Q10 are being temporarily retained in the Laboratory for possible future comparisons with additional fibers of the suspect's clothing should they be recovered.

The Q12 blanket has been folded double and one corner has been folded in and pinned with a safety pin. A length of white cotton cord had been tied around this corner giving it a triangular-shaped appearance as if it had once contained a long object.

The paper of the wrapping and the tape, Q10, were found to have the same observable physical characteristics as the known wrapping paper and tape, K2, from the Texas Public School Book Depository.

The inside surface of specimen Q10 did not disclose markings identifiable with the rifle, K1. A number of indentations, folds and extraneous markings were noted on the inside surface of the Q10 wrapping.

The latent prints appearing in the photographs of rifle, K1, by the Dallas Police Department, are too fragmentary and indistinct to be of any value for identification purposes. Photographs of this weapon taken by this Bureau also failed to produce prints of sufficient legibility for comparison purposes.

(continued on next page)

A latent fingerprint was developed on the wrapping paper, Q10, which was identified with the left index finger impression of Lee Harvey Oswald. In addition, one latent palm print developed on specimen Q10 was identified with the right palm print of Oswald.

No latent prints of value were developed on Oswald's shirt, the cartridge cases, the unfired cartridge, the clip in the rifle or the inner parts of the rifle.

Specimens Q1 through Q8, Q14 and Q15 are being retained in the Laboratory until called for by a representative of the U. S. Secret Service.

Specimens Q9 through Q13, K1, K2 and K3 are being returned to the Dallas Police Department by Special Agent Vincent E. Drain of the Dallas Field Office of this Bureau. The photograph of the latent print on the rifle is being returned separately. The fingerprints and palm prints of Oswald are being retained.

UNITED STATES OF AMERICA
GENERAL SERVICES ADMINISTRATION

National Archives and Records Service
Washington, D.C. 20408

JAN 4 1974

Dr. John Nichols
University of Kansas Medical Center
Department of Pathology and Oncology
Rainbow Boulevard at 39th Street
Kansas City, Kansas 66103

Dear Dr. Nichols:

This is in reply to your letter of December 11, 1973.

We are preparing the special photographs you requested, and they will be sent to you at once as they are completed. You are correct in pointing out that one of the three small bullet fragments in Warren Commission Exhibit 840 is missing. We have no information concerning the missing fragment and must assume that it was not transferred to us with the others.

We interpret the letter of the Director of the FBI to you as meaning that the FBI laboratory conducts examinations are performs technical services only at the request of law enforcement and Government agencies for law enforcement and official Government purposes. For this reason, we do not feel that we should ask the FBI to take the photographs in which you are interested for a private research purpose. Please let us know whether you want us to return the material you sent us for the photographs.

Sincerely,

JOHN E. O'NEILL
Acting Archivist
of the United States

62-109060

Keep Freedom in Your Future With U.S. Savings Bonds

THE UNIVERSITY OF KANSAS MEDICAL CENTER
RAINBOW BOULEVARD AT 39TH STREET
KANSAS CITY, KANSAS 66103

SCHOOL OF MEDICINE
DEPARTMENT OF PATHOLOGY AND ONCOLOGY

February 17, 1974

62-109060

Clarence M. Kelley, Esq., Director
Federal Bureau of Investigation
Washington, D. C. 20535

Re: Artifacts of the Assassination
of President John F. Kennedy

Dear Mr. Kelley:

Mr. Hoover in his letter (CE 2968) of June 2, 1964, to Mr. Rankin writes of: cartridge cases C6, C7, and C38, as well as cartridge C8, and rifle C14.

Mr. Hoover, in his letter, Thermofax® copy enclosed, of July 8, 1964, to Mr. Rankin writes of: C1, C2, C4, C5, C9, and C16.

Mr. Hoover, in his report, five (5) page thermofax® copy enclosed, to Mr. Jesse Curry, under date of November 23, 1963, writes of: Q1, Q2, Q3, Q4, Q5, Q6, Q7, Q8, Q9, Q14, Q15, and rifle K1.

I should greatly appreciate if you could correlate these "C" and "Q" numbers for me with the final Commission Exhibit (CE) numbers and advise where, in the Warren Commission Reoprt and/or Testimony and Exhibits of the hearings the correlations may be found.

Commission Exhibit 840 in the photograph on page 840 of volume 17, prepared by the FBI, shows three (3) pieces of metal. However, a recent photograph of this same exhibit prepared for me by the Archivist shows only two pieces of metal. As you can see from the enclosed Thermofax® copy of a letter from the Archivist under date of January 4, 1974, he "assumes" that the missing piece was not delivered to him from the FBI. I should greatly appreciate if you could advise me the disposition of this missing third piece of metal from this exhibit 840.

ENCLOSURE ATTACHED

ENCLOSURE

REC-19

62-109060-7114

15 MAR 7 1974

SEVEN

UNIVERSITY OF KANSAS
MEDICAL CENTER

The official photograph of C E 842, as found on page 841 of volume 17, intends to show metal removed from Governor John Connally's wrist. I can detect, presumably, one piece of metal; it is impossible to express further opinion from photograph.

Mr. Hoover's report to Mr. Curry mentions Q 9 as "metal fragment" [singular] from the Governor's arm. The operative report (C E 392) of the surgeon, Doctor Gregory, mentions "Small bits of metal...these were". This is plural. In his testimony on page 122 of volume 4, Doctor Gregory speaks of "two fragments".

Mr. Frazier, on page 72 of volume 5, testified, in response to a question from Mr. Specter about the "fragment" thus: "that is the one from Governor...I do not know where Captain Fritz obtained it [singular].

A photograph, taken by the Archivist, and appearing in Mr. Josiah Thompson's book Six Seconds in Dallas (Bernard Geis, New York, 1967) on page 147 clearly shows two pieces of metal as C E 842.

A special photograph taken for the undersigned by the Archivist clearly shows three (3) pieces of metal being C E 842.

I should appreciate if you could advise me how many pieces of metal were removed from the Governor's arm and comprise C E 842, and its various earlier code numbers.

Finally, it is alleged that samples of metal was removed from some of these specimens for destructive spectrographic analysis and I should greatly appreciate if you could advise me how much was removed from each specimen and how much un-analyzed specimen of each remains. Shall look forward to hearing from you.

Sincerely,

John Nichols

John Nichols, M. D.
Associate Professor
of Pathology

Exhibit No. 3-2.

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D. C.

July 8, 1964

By Courier Service

Honorable J. Lee Rankin
General Counsel
The President's Commission
200 Maryland Avenue, Northeast
Washington, D. C.

Dear Mr. Rankin:

As previously reported to the Commission, certain small lead metal fragments recovered in connection with this matter were analyzed spectrographically to determine whether they could be associated with one or more of the lead bullet fragments and no significant differences were found within the sensitivity of the spectrographic method.

Because of the higher sensitivity of the neutron activation analysis, certain of the small lead fragments were then subjected to neutron activation analyses and comparisons with the larger bullet fragments. The items analyzed included the following: C1 - bullet from stretcher; C2 - fragment from front seat cushion; C4 and C5 - metal fragments from President Kennedy's head; C6 - metal fragment from the arm of Governor Connally; C16 - metal [illegible] of the car.

While minor variations in composition were found by this method, these were not considered sufficient to permit positively differentiating among the larger bullet fragments and thus positively determining from which of the larger bullet fragments any given small lead fragment may have come.

Sincerely yours,

J. Edgar Hoover

62-109060

March 5, 1974

REC-19 62-109060-7114

John Nichols, M.D.
Associate Professor
Department of Pathology and Oncology
School of Medicine
The University of Kansas Medical Center
Rainbow Boulevard at 39th Street
Kansas City, Kansas 66103

Dear Dr. Nichols:

This will acknowledge receipt of your letter on February 20th, with enclosures, in which you requested certain data surrounding examinations made by the FBI Laboratory during the investigation of the assassination of former President John F. Kennedy.

MAILED 23 MAR 5 1974 FBI

The "Q and K" items referred to in your letter were all listed and described in FBI Laboratory Reports which were made available to the President's Commission and are available to you for review. In addition, a listing of the "C" items you referred to, also by descriptions, can be found in Commission Document 345 in the National Archives.

Under the same descriptions, the President's Commission assigned exhibit numbers to the items listed above as set forth in the testimony of Special Agent Robert A. Frazier, FBI Laboratory, in Volume III, (beginning at page 390), and Volume V, (beginning at page 58), of the "Hearings Before the President's Commission on the Assassination of President Kennedy."

When examined in the FBI Laboratory, Commission Exhibit 840 consisted of three metal fragments and this Exhibit was subsequently transferred to the National Archives. No further information is available concerning the present condition of this Exhibit.

1 - Office of the Deputy Attorney General - Enclosure
1 - Kansas City - Enclosure
1 - Mr. Briggs White - Enclosure
Attention: Mr. Frazier
1 - Bufile 62-115530 (FOI-REPLIES)
JCF:law (8)

Asst. Dir.
Dep. AD Adm.
Dep. AD Inv.
Asst. Dir.
Admin.
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John Nichols, M.D.

Commission Exhibit 842, when submitted to the FBI Laboratory for examination, consisted of one metal fragment which weighed 0.5 grain.

Commission Exhibits 840 and 842 were subjected to analytical studies in which small portions were necessarily consumed. The remaining weights of these Exhibits are not available.

Sincerely yours,

C. M. Kelley

Clarence M. Kelley
Director

NOTE: Dr. Nichols has previously corresponded with the Bureau concerning medical studies he has made which apparently have convinced him that the late President Kennedy was shot at least once from the front instead of only from the rear as found by the Warren Commission. He has brought an unsuccessful suit against the Government under the Public Information Law for the notes and work papers of the FBI Laboratory examiners concerning their spectrographic analysis of the bullets uncovered in the examinations. The "C" items, "K" items and "Q" items are correlated with Commission Exhibit numbers as follows:

C#	Q or K#	CE#	
C1	Q1	399	Bullet from stretcher
C2	Q2	567	Bullet fragment from front seat cushion
C3	Q3	569	Bullet fragment from beside front seat
C4	Q4	843	Metal fragment from the President's head
C5	Q5	843	Metal fragment from the President's head
C6	Q6	543	6.5 millimeter Mannlicher-Carcano cartridge case from building
C7	Q7	544	6.5 millimeter Mannlicher-Carcano cartridge case from building

John Nichols, M.D.

NOTE CONTINUED:

C8	Q8	141	6.5 millimeter Mannlicher-Carcano cartridge
C9	Q9	842	Metal fragment from arm of Governor John Connally
C14	K1	139	6.5 millimeter Mannlicher-Carcano rifle with telescope sight, Serial No. C2766
C16	Q14	840	Three metal fragments recovered from rear floorboard carpet
C17	Q15	841	Scraping from inside surface of windshield
C38	Q48	545	6.5 millimeter Mannlicher-Carcano cartridge case from building

The material received and listed above was assigned "Q" and "K" numbers and was later assigned "C" numbers. A list of "C" numbers, bearing the same description as when listed with "Q" or "K" numbers was furnished the President's Commission. The list of "C" items is among the Commission papers in the National Archives, as Commission Document 342. Under the same descriptions, the President's Commission assigned exhibit numbers to the items listed above as set forth in the testimony of Special Agent Robert A. Frazier, FBI Laboratory, in Volume III, (page 390), and Volume V, (page 58), of the "Hearings Before the President's Commission on the Assassination of President Kennedy." Certain early FBI Laboratory reports referred to these items by "Q" and "K" numbers. These reports were submitted to the President's Commission either by the Dallas, Texas, Police Department, or by the Dallas Office of the FBI. These papers are available for review at the National Archives. Some of the items referred to by Dr. Nichols were subjected to Laboratory examinations which necessarily consumed portions of the items and/or altered their appearance. The residual portions of the items were turned over to the National Archives where they are available for inspection. No attempt was made to record the weights of the minute quantities consumed in the examinations, (spectrographic and neutron activation analyses), or to weigh the material remaining. All of the items were photographed in their original condition. They were delivered to the National Archives where they are presently maintained. This reply coordinated with the Laboratory Division.

CYRIL H. WECHT, M.D., J.D., F.C.A.P.
CORONER

JOSHUA A. PERPER, M.D., LL.B.
CHIEF FORENSIC PATHOLOGIST
CHARLES L. WINEK, PH.D.
CHIEF TOXICOLOGIST
BERNARD J. McGOWAN, ESQ.
SOLICITOR

County of Allegheny

542 FOURTH AVENUE • PITTSBURGH, PA. 15219
(412) 355-4460 355-4466
OFFICE OF THE CORONER

March 8, 1974

The Honorable Clarence Kelly
Director, Federal Bureau of Investigation
Department of Justice
Washington, D. C. 20530

Dear Mr. Kelly:

For sometime, I have been studying certain details of the assassination of President Kennedy. In 1972, I was one of the few persons outside the federal government to be granted permission to examine the photographs and X-rays from the President's autopsy.

What I learned from examining the autopsy materials has deepened my long-standing belief that the Warren Commission's attempted reconstruction of the shooting could not have been correct, particularly with respect to their hypothesis that Governor Connally had been wounded by the same bullet which had previously inflicted the non-fatal wounds on the President. I am aware that the FBI, at least for some period of time, had also entertained a view which disagreed with the Commission in that regard.

I have since learned that the FBI Laboratory conducted neutron activation analyses on the bullet fragments recovered during the investigation of the case. As you undoubtedly know, such analyses are capable of producing extraordinarily detailed information about the composition of metallic substances, sufficient in some cases to

REC-62 62-109060-715
3-22
6 MAR 13 1974

EX-111

determine whether two or more specimens can or cannot be said to have different origins. Lead or copper fragments originating from separate bullets, for example, can sometimes be distinguished, even though the parent bullets have a common manufacturer.

The data compiled by the FBI Laboratory from its neutron activation analyses of the bullet fragments in the Kennedy assassination could well be dispositive of certain unanswered questions about the details of the shooting. Specifically, and by way of illustration, a finding that the lead in the fragment recovered from Governor Connally's wrist was significantly different in composition from the lead in the nearly whole bullet designated as Commission Exhibit 399 would eliminate the possibility that the Governor's wrist wound had been inflicted by this bullet. Similarly, a finding that the composition of the copper in Commission Exhibits 567 and 569 (the two larger fragments found in the front of the Presidential car) differed significantly from each other would establish that these two fragments could not have originated from the same bullet. Either of these illustrative findings would indicate that the Commission's reconstruction of the shooting should be reassessed, while negation of such speculative findings would tend to confirm the Commission's conclusions.

There are several other comparisons between the compositions of various pairs of bullet fragments which would be extremely valuable in clearing up certain ballistic questions left unresolved by the Warren Commission. I understand that some slight differences in composition were, in fact, observed in the analyses conducted by the FBI Laboratory but that the Commission did not request the actual data, and thus, did not follow up on the leads that might have been provided.

Would it be possible for me to have access to these data? I realize that there may be objections to disclosure of material from the investigative files of the FBI, as a matter of general policy. However, the historical and scientific importance of these data in resolving public doubts about the assassination would seem to justify a discretionary release in this exceptional case and would surely be in the public interest.

Alternatively, in the event that the Bureau finds reason not to release the actual data, would it be possible to obtain verbal answers to certain questions about the data? Specifically, I believe it is of critical importance to know the following:

(1) Does the composition of Commission Exhibit 842 (the lead fragment recovered from Connally's wrist) differ significantly, i.e., more than can be attributed to experimental error, from that of the core of Commission Exhibit 399 (the nearly whole bullet found at Parkland Hospital)?

(2) Does the composition of Commission Exhibit 842 differ significantly from that of the lead portion of Commission Exhibit 567 (the large bullet fragment found in the front of the car)?

(3) Does the composition of the lead portion of Commission Exhibit 567 differ significantly from that of any of the following:

(a) Commission Exhibit 840 (fragments found on floor of car);
(b) Commission Exhibit 841 (lead scraped from wind shield);
(c) Commission Exhibit 843 (fragments from President's brain);
(d) FBI Item C321 (lead smear found on curb in Dealey Plaza)?

(4) Does the composition of the copper portion of Commission Exhibit 567 differ significantly from that of the copper in Commission Exhibit 569 (the other large fragment found in the front of the car)?

In each of the above questions, the term "differ significantly" is meant to refer to numerical differences in composition which are larger than the estimated experimental error of the technique. Where such differences are present, it would be helpful to know if they are substantial or slight, even if the precise numerical data cannot be disclosed.

I should like to add that in addition to my own qualifications as a forensic pathologist, I am in regular professional contact with several professional criminalists and scientific experts in the field of neutron activation analysis. Their consultation and advice will be available to me to ensure a competent and objective review of any data which are disclosed.

Thank you for your consideration of this request.

Very truly yours,

Cyril H. Wecht

Cyril H. Wecht, M.D., J.D.

Clinical Associate Professor of Pathology, University of Pittsburgh Schools of Medicine and Dental Medicine

Research Professor of Law and Director, Institute of Forensic Sciences, Duquesne University School of Law

CHW/lrf

March 20, 1974

EX-111 REC-67 62-109060-7115

Cyril H. Wecht, M.D., J.D.
Coroner
County of Allegheny
542 Fourth Avenue
Pittsburgh, Pennsylvania 15219

Dear Dr. Wecht:

Reference is made to your letter of March 8th requesting information concerning certain neutron activation analyses conducted by this Bureau.

Upon completion of the Warren Report, The President's Commission on the Assassination of President John F. Kennedy submitted investigative materials and documentary evidence to the National Archives and Records Service, 7th and Pennsylvania Avenue, N. W., Washington, D. C. 20408. By letter dated July 8, 1964, the FBI furnished the results of neutron activation analyses of certain bullet fragments to the Commission. These are now available for review at the National Archives as part of the Commission's documents. Therefore, you may desire to direct your request to the National Archives, attention of NNFC, Area 6W3.

MAILED 3
MAR 20 1974
FBI

Sincerely yours,

Clarence M. Kelley

Clarence M. Kelley
Director

1 - The Deputy Attorney General - Enclosure
1 - Mr. White - Enclosure
Attention SA R. S. Frazier
1 - Bufile 62-115530 (FOI-REPLIES)

NOTE: [redacted]

msp:cmc (9)

CONTINUED PAGE TWO

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Dep. AD Adm. ___
Dep. AD Inv. ___
Asst. Dirs. ___
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Director Sec'y ___

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FBI/DOJ

April 2, 1974

1 - Mr. B. J. White
Atten: Mr. Frazier
1 - Mr. Mintz

John Nichols, M. D.
Associate Professor
Department of Pathology and Oncology
School of Medicine
The University of Kansas Medical Center
Rainbow Boulevard at 39th Street
Kansas City, Kansas 66103

Dear Dr. Nichols:

Reference is made to our letter to you dated March 6, 1974.

Pursuant to your request, we are enclosing 8 by 10 glossy prints of Warren Commission Exhibits 141, 543, 544, 545, 562 and 564. The photographs of Commission Exhibits 543, 544 and 545 are comparison microscopic shots and were taken under the same lighting and magnification and were enlarged identically.

There were no photographs of the whole primers of any of the Commission Exhibits you requested. For your information, Commission Exhibits 557 (a) and 557 (b) are shown in Commission Exhibits 543, 544 and 545.

We are returning your check in view of the fact only six of the photographs you have requested are available. Please forward a remittance in the amount of $3, payable by check or money order to the Treasury of the United States.

Sincerely yours,

Clarence M. Kelley
Director

MAILED 22
APR 02 1974
FBI

Enclosures (7)

1 - The Deputy Attorney General
1 - Bufile 62-115530 (FOI-REPLIES)
RD:law (7)

SEE NOTE PAGE TWO

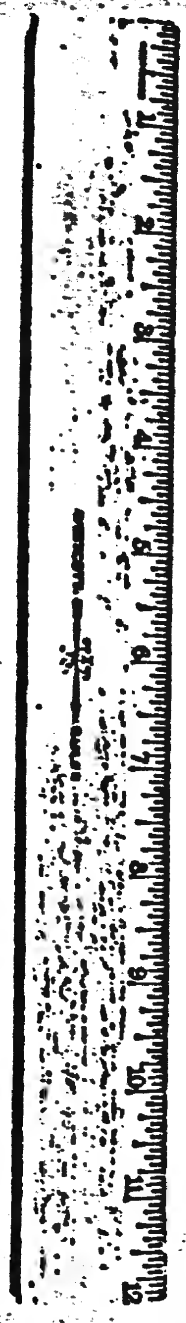
APR 12 1974 TELETYPE UNIT

EX-113 REC-15 62-109060-7116

APR 4 1974

John Nichols, M. D.

NOTE: Substantial correspondence has previously been had concerning the assassination of President Kennedy. By letter 2-24-74, Nichols requested 8 by 10 glossy prints of certain Commission Exhibits and whole primers of certain other enumerated Commission Exhibits. (By letter 7-3-73, Nichols requested similar documents and was furnished requested copies at a charge of 50¢ per print.) By Bulet 3-6-74, he was advised we were in the process of preparing the documents he had requested, but was informed we would be unable to honor any furthor requests. The 3-6-74 letter was coordinated with John L. Gallinger, Departmental attorney, Office of Legal Counsel.





COMMISSION EXHIBIT
#141

Fig. 37



CE 362





CE-411

CYRIL H. WECHT, M.D., J.D., F.C.A.P.
CORONER

JOSHUA A. PERPER, M.D., LL.B
CHIEF FORENSIC PATHOLOGIST
CHARLES L. WINEK, PH.D
CHIEF TOXICOLOGIST
BERNARD J. McGOWAN, E
SOLICITOR

County of Allegheny

542 FOURTH AVENUE • PITTSBURGH, PA. 15219
(412) 355-4460 355-4466
OFFICE OF THE CORONER

April 23, 1974

John F. Kennedy

The Honorable Clarence M. Kelley
Director, Federal Bureau of Investigation
United States Department of Justice
Washington, D. C. 20535

Dear Mr. Kelley:

Thank you for your letter of March 20th, in reply to my inquiry of March 8th, concerning the data from neutron activation analyses of certain bullet fragments recovered in the investigation of the assassination of President Kennedy.

Your reply refers me to an FBI letter dated July 8, 1964, which was sent to the Warren Commission. You state that "the results of neutron activation analyses of certain bullet fragments" had been furnished to the Commission by this letter, and that "these are now available for review at the National Archives as part of the Commission's records."

The FBI letter to which you refer has been known to me for some time, and it does not contain the data I am seeking, nor any results of the kind that would answer the questions raised in my letter of March 8th. The only portion of the 1964 FBI letter which might be construed as furnishing results of the neutron activation analyses reads as follows:

EX-113 REC-45 62-109060-7117

"While minor variations in composition were found by this method these were not considered sufficient to permit positively differentiating among the larger bullet fragments and thus positively determining from which of the larger bullet fragments any given small lead fragment may have come."

APR 25 19

LEGAL COUNSEL
SEVER, PA.

The above quotation is actually a conclusion based on the data, rather than the data themselves. It is only one of several possible conclusions that might be deducible from the data if they were made available, and I believe that other conclusions, not contradictory to the one quoted above, but in addition to it, might be derived.

A check with the official in charge of the Commission's records at the National Archives, Mr. Marion Johnson, has established that there were no attachments or enclosures to the FBI letter of July 8, 1964, and that there are no other FBI letters or documents on file there containing the data from the neutron activation analyses of the bullet fragments, or any other relevant results.

Hoping that you may have intended a more positive response to my letter than the mere suggestion that I review the FBI letter of July 8, 1964, I should like to reiterate the requests made in my previous letter; namely, either access to the laboratory data themselves, or alternatively, answers to the questions formulated on page 3 of my previous letter.

Thank you for your courtesy and cooperation in this matter.

Very truly yours,

Cyril H. Wecht, M.D., J.D.

CHW/mg

REC 45 62-109060-7117

EX-113

May 6, 1974

1 - Mr. B. J. White - Enclosure
1 Attention J. F. Gallagher, Room 7331
1 - Mr. Mintz

Cyril H. Wecht, M.D., J.D.
Coroner
County of Allegheny
542 Fourth Avenue
Pittsburgh, Pennsylvania 15219

Dear Dr. Wecht:

Reference is made to your letters of March 8th and April 23rd requesting either access to our laboratory data relating to the assassination of President John F. Kennedy or, alternatively, verbal answers to your questions concerning the data.

MAY 6 1974

Although I would like to be of assistance, I must decline your request as the information which you are seeking is contained in an investigatory file compiled for law enforcement purposes and is thereby exempt from public disclosure pursuant to the provisions of Title 5, United States Code, Section 552 (b) (7).

You may appeal my decision in this matter by writing the Attorney General, Attention: Office of Legal Counsel, Washington, D. C. 20530. Additionally, judicial review is thereafter available either in the district in which you reside or have a place of business, or in the District of Columbia, the location of the records to which you seek access.

Sincerely yours,

C. M. Kelley

Clarence M. Kelley
Director

1 - The Deputy Attorney General - Enclosure
1 - Bufile 62-115530 (FOI REPLIES)
SEE NOTE PAGE TWO

MAIL ROOM ☐ TELETYPE UNIT ☐

Cyril H. Wecht, M.D., J.D.

NOTE: Correspondent by letter of March 8 requested Laboratory data developed in connection with the assassination of President John F. Kennedy. He asked several technical questions regarding the Laboratory's examination of evidence in the case. He was referred to the Warren Commission documents on file at the Archives. As the specific data he is seeking were not furnished the Warren Commission and have not been made a part of the Commission's documents, his request is being denied in line with prior denials of the Laboratory data based on T5, USC, s. 552, (b) (7). Reply coordinated with the Laboratory Division.

0-20 (Rev. 1-30-74)

Assoc. Dir. ____
Dep. AD Adm. ____
Dep. AD Inv. ____
Asst. Dir.: ____
Admin. ____
Comp. Syst. ____
Ext. Affairs ____
Files & Com. ____
Gen. Inv. ____
Ident. ____
Inspection ____
Intell. ____
Laboratory ____
Plan. & Eval. ____
Spec. Inv. ____
Training ____
Legal Coun. ____
Telephone Rm. ____
Director Sec'y ____

UPI 041

(JFK FILES)

WASHINGTON (UPI) -- THE SUPREME COURT REFUSED TODAY TO ORDER THE FBI TO REMOVE THE SECRECY LABEL ON ITS FILES ON THE JOHN F. KENNEDY ASSASSINATION.

THE COURT DECLINED TO REVIEW A LOWER COURT RULING WHICH HELD THAT THE FBI HAS BROAD POWERS TO DETERMINE WHAT IT CAN SUPPRESS UNDER THE FREEDOM OF INFORMATION ACT.

THE LEGAL ACTION WAS BROUGHT BY HAROLD WEISBERG, AUTHOR OF FOUR BOOKS ON THE ASSASSINATION. HE HAD ASKED THE FBI FOR ITS SPECTROGRAPHIC ANALYSIS OF BULLET FRAGMENTS FOUND AT THE SCENE OF THE KENNEDY SHOOTING IN DALLAS ON NOV. 22, 1963.

THE FBI REFUSED THE REQUEST ON GROUNDS THE EVIDENCE WAS PART OF "INVESTIGATORY FILES COMPILED FOR LAW ENFORCEMENT PURPOSES" AND THUS EXEMPT FROM THE FREEDOM OF INFORMATION ACT. THE ACT IS INTENDED TO FORCE GOVERNMENT AGENCIES TO PROVIDE THE PUBLIC WITH OFFICIAL DOCUMENTS ON REQUEST.

WEISBURG'S ATTORNEYS ARGUED THAT THE ACT PLACED THE BURDEN ON THE FBI OF SHOWING WHY THE EVIDENCE SHOULD NOT BE RELEASED IN CASES WHERE "NO PROSECUTION IS CONTEMPLATED AND DISCLOSURE WOULD NOT HARM THE AGENCY'S LEGITIMATE LAW ENFORCEMENT FUNCTIONS."

THE LOWER COURTS SAID HOWEVER THAT THE FBI HAD MET ITS OBLIGATIONS BY PROVIDING AN AFFIDAVIT FROM A SPECIAL AGENT SAYING RELEASE OF THE INFORMATION WOULD "SERIOUSLY INTERFERE WITH THE EFFICIENT OPERATION OF THE FBI AND WITH THE PROPER DISCHARGE OF ITS IMPORTANT LAW ENFORCEMENT RESPONSIBILITIES."

UPI 05-13 11:39 AED

62-109060-7118

Legal Counsel to Bill Sullivan memo

ENCLOSURE

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Miller

DATE: 5-15-74

FROM : Legal Counsel

SUBJECT: HAROLD WEISBERG v. U. S. DEPARTMENT OF JUSTICE
FREEDOM OF INFORMATION ACT (FOIA)
ASSASSINATION OF PRESIDENT John F. Kennedy

The U. S. Supreme Court on 5-13-74 denied certiorari in captioned suit and let stand a District of Columbia Circuit Court decision which sanctioned withholding information contained in FBI investigatory files pursuant to the FOIA.

In 1970, Harold Weisberg requested, through the Department of Justice, FBI records concerning the results of spectrographic analyses of bullets, bullet fragments, garments and other objects connected with the assassination of President Kennedy. His request was denied on the ground that the records were part of an investigatory file compiled for law enforcement purposes and exempt from disclosure pursuant to exemption (b)(7) of the FOIA.

He subsequently filed suit in the U. S. District Court, Washington, D. C., lost, and appealed to the United States Circuit Court. A three-judge panel of that Court ruled against the Government, holding that information must be disclosed from FBI investigatory files unless an ongoing investigative matter would be prejudiced thereby. The Government petitioned the Circuit Court for a hearing en banc, which was granted. The full Court affirmed the District Court opinion, interpreting exemption 7 as mandating that as long as materials were contained in investigatory files, they were exempt from public disclosure. 62-109060-7118

109 REC42

With this denial of certiorari by the Supreme Court, the FBI could operate within the statutory parameters of the FOIA even with the imminent passage of S. 2543 which will amend

1 - Mr. Callahan
1 - Mr. Jenkins
1 - Mr. Miller
1 - Mr. Adams
1 - Mr. Campbell
1 - Mr. Cleveland
1 - Mr. Franck
1 - Mr. Gebhardt
1 - Mr. Jacobson
1 - Mr. Jamieson
1 - Mr. Marshall
1 - Mr. Thompson
1 - Mr. Walsh
1 - Mr. Wannall
1 - Mr. White
1 - Mr. Mintz

RD:law (18)

CONTINUED - OVER

that Act. It must be pointed out, however, the FBI remains under Attorney General Order 528-73 which directs release of our files older than 15 years to historical researchers.

RECOMMENDATION:

For information.

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Miller

DATE: 6-5-74

FROM : Legal Counsel

SUBJECT: DEPARTMENT OF JUSTICE POLICY FOR RELEASE OF FBI INVESTIGATORY FILES MORE THAN 15 YEAR OLD (DEPARTMENTAL ORDER 528-73)

My memorandum to you of 5-15-74 captioned, "Meeting with James A. Wilderotter, Associate Deputy Attorney General, Re: Departmental Order 528-73," reported the results of a meeting between Mr. Wilderotter and representatives of this Bureau concerning the Freedom of Information Act (FOIA) and specifically, Departmental Order 528-73. Mr. Wilderotter was briefed on the difficulties encountered by the FBI in attempting to implement the provisions of this Order. He appeared to be sympathetic towards our position and suggested that we prepare a "White Paper" setting forth these difficulties and reasons why the Attorney General should rescind this Order.

Attached is a "White Paper" prepared along those lines. We are cognizant of the fact that it would be unwise for the Attorney General to rescind this Order while H. R. 12471 and S. 2543 are currently pending. As will be recalled, S. 2543, with amendments by Senators Philip A. Hart and Edmund S. Muskie, was passed by the Senate on 5-30-74. However, from observations we have received from Administration representatives, there is a good chance President Nixon will now veto this bill. Consequently, any action on the part of the Attorney General at this time could be counterproductive. However, the suggestion is made to consider rescinding this Order once this legislation has been resolved.

62-109060

RECOMMENDATION:

That the attached memorandum be sent to Mr. Wilderotter.

Enclosure — Sent 6-10-74
1 - Mr. Cleveland - Enclosure
1 - Mr. Gebhardt - Enclosure
1 - Mr. Marshall - Enclosure
1 - Mr. McDermott - Enclosure
Attention: Mr. Bowers
1 - Mr. Thompson - Enclosure
1 - Mr. Walsh - Enclosure
1 - Mr. Wannall - Enclosure
1 - Mr. Mintz
JCF:law (11)

JUN 11 1974

70 JUN 20 1974

DALLAS TIMES HERALD
214/744-6111
P.O. BOX 5445
1101 PACIFIC AVE./DALLAS, TEXAS 75202

June 20, 1974

Mr. Clarence Kelly
Director
Federal Bureau of Investigation
506 Old Post Office Building
Washington, D. C. 20535

Dear Mr. Kelly:

We need your help!

Will you please give us the information requested in a notation at the bottom of the enclosed ACTION LINE question sheet. If reply is lengthy, you may of course attach a separate sheet.

If you cannot answer the question, we would appreciate your suggesting another source.

Thank you for your cooperation.

Cordially,

Mrs. Mae Graves
ACTION LINE Editor

MG:mb

ENCL.

62-109060-
NOT RECORDED
191 JUL 9 1974

6 JUL 2 1974

ENCLOSURE

CORRESPONDENCE

ORIGINAL FILED IN

6/19/74 56,049

Several weeks ago an item in the paper reported that the Supreme Court upheld a lower court's decision allowing the FBI to withhold from the public its report on the investigation of President Kennedy's death. Since the government is spending countless time, effort and money in uncovering everything possible concerning Watergate to report to the people, shouldn't the report on President Kennedy's assassination also be released by the FBI? I think it is just as important for the public to have this information as it is to hear about Watergate. A.M.

ENCLOSURE 62-109090-1

June 28, 1974

62-109060

Mrs. Mac Graves
Action Line Editor
The Dallas Times Herald
Post Office Box 5445
Dallas, Texas 75202

Dear Mrs. Graves:

Your letter of June 20th and enclosure have been received.

With respect to your reader's inquiry, investigatory files compiled for law enforcement purposes are specifically exempt from public disclosure pursuant to the provisions of the Freedom of Information Act. The results of our investigation of President Kennedy's assassination were given to the Warren Commission which subsequently published a report which included some of the data and photographs we furnished. This Bureau has no authority to independently release results of our investigation in this matter or the investigation you referred to as Watergate.

Your enclosure is being returned herewith.

MAILED 20
JUL 1 1974
FBI

Sincerely yours,

C. M. Kelley

Clarence M. Kelley
Director

Enclosure
1 - Dallas - Enclosures (2)

NOTE: Bufiles contain no derogatory information identifiable with correspondent and we have had cordial relations with this paper. Reply discussed with Freedom of Information Act Unit.
mhb:mks (5)

cc made for police.

Dir.
AD Adm.
AD Inv.
Ass.
Asst. Dir.
Admin.
Comp. Syst.
Ext. Affairs
Files & Com.
Gen. Inv.
Ident.
Inspection
Intell.
Laboratory
Legal Coun.
Plan. & Eval.
Rec. Mgmt.
Spec. Inv.
Training
Telephone Rm.
Director's Sec'y

MAIL ROOM ☐ TELETYPE UNIT ☐

ORIGINAL FILED IN

Fedral Bureau of Investigation
Pinth Street And Pensylvanie
N.W. Washington D.C 20535

Dear Sirs

This concerns the assassination of President Kenned when he was shot in Dallas, Texas.

The C.I.A had orders to go where ever the President whent. Was this order the same with you? There was a break in communication after Kennedy was shot. How could this happen if there was only one man involved? After the shots hit Kennedy the C.I.A left with him to the hospital giving him 15 minutes for sharp shooters to escape. Where were you at? there was also two people with false C.I.Aidentification what happened to them.

Later after the shooting the slugs from Kennedys body was lost on a strecher this information I got in ((THE PRESIDENTS COMMISSION ON THE ASSASANATION OF PRISIDENT KENNEDY)). In that same report in the conclusion of chapter4 page 129 it dosnt prove anything at all. All it says is Oswald bought the rifle. Fibers of his clothes were found on the gun and a picture of him in front of his apartment now that dosnt prove him guilty at all, anybody could see that dosnt prove him guilty at all. Then they lost the bullets how do you know it was his bullets that hit him.

One of the bullets how do you know the slug was a 6.5 millimeter shell, because of the angle it tour a 15 millimeter cut in him It could have been a 7 millimeter shell or a 8 or 9 since the shell was lost.

Eyewhitnises where killed after the assasination how do you explain this one now dont say read such and such in such in such book because weve already trid to find this out. were only in the 9th grade and now something is wrong about this case. The odds in one book I and others read state the odds are 1,000,000,000,000 to 1 of the 24 best withises to die within a short time. what happend to the pictures of Kennedy after he was dead or did you lose them on a strecher to or after the death and not to come out until her grand children die. If this is true could a state or federal judge order these things out into the open? We hope you can clear a few things up for us. We have studed every book about kennedy now we would like a true answerus

REC-88 62-109060-7119

THANK YOU

Jim Dewey

DAVID HERNEY
6615 GREELEY ST.
TUJUNGA, CALIFORNA
91042

21 JUN 17 1974

PLAINE TALKO

June 14, 1974

REC-83

62-109060-7119

Mr. David Henney
6615 Greeley Street
Tujunga, California - 91042

Dear David:

The recent letter from you and your friends concerning the assassination of President Kennedy was received on June 12th and I can certainly understand the interest which prompted you to write.

With respect to your inquiry, I can tell you that the FBI, at the direction of President Johnson, conducted a prompt, intensive, objective and thorough investigation of the assassination of President Kennedy. The results of this investigation were accurately reported and furnished to the President's Commission on the Assassination of President Kennedy. All available evidence pointed to the conclusion that Lee Harvey Oswald acted alone in committing this crime. The President's Commission published its findings and included FBI data in its report. We have no additional information available for distribution regarding this matter.

MAILED 20
JUN 14 1974
FBI

Sincerely yours,

C. M. Kelley

Clarence M. Kelley
Director

NOTE: Bufiles disclose no record of David Henney, Blaine Talmo, Jim Doughty or Steve B. Thorp. Bufiles disclose no identifiable information concerning Jim Downing. Henney mentioned that he and his friends are in the ninth grade and have been doing research concerning the assassination of President Kennedy, including reading the report of the President's Commission. They asked a series of questions reflecting considerable misunderstanding of the facts of the assassination and appeared to doubt that Oswald was guilty of the crime, or that he acted alone.

JWS:dlw (3)

MAIL ROOM ☑ TELETYPE UNIT ☐

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MAY 20 11 49 AM '74
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MAIL ROOM
ORDH

MAY 21 12 07 PM
DEPT. OF JUSTICE
MAIL ROOM
ORDH

May 15, 1974
1632 Deering Drive
Akron, Ohio 44313

RECEIVED
JUN 11
CD CU

The Hon. William Saxbe
Attorney General
Dept. of Justice
Washington, D.C.

Dear Mr. Saxbe:

The Supreme Court has recently ruled that the FBI did not have to release data on the spectrographic analysis of the bullets involved in the assassination of President Kennedy.

However, I wish to urge that the Justice Dept. voluntarily release this data as well as any other requested by students of the problem. I cannot understand the reasons for secrecy in this matter, and believe it is important for the American public to have as much knowledge as possible about those subjects that it deems of interest (with, of course, certain narrow exceptions which are truly legitimate, and not for cover-up purposes).

REC-106 62-109060-T12

Very truly yours,

RECEIVED
MAY 21 1974
CRIMINAL DIVISION

B. D. Raffel

15 JUN 18 1974

BDR:wk

FED. BU. OF INV.
2 . 1974
CRIMINAL GEN. CRIME SEC.
FED. BU. OF INV.

RECEIVED
MAY 22 19-4
CD CU

JUN 27 1974

(Rev. 6-13-61)

SERVICE REQUEST SLIP

DATE June 10, 19.4

TO: RECORDS ADMINISTRATION OFFICE

- ____ Administrative Office
- ____ Communications Section (Post Office)
- ____ Identification Section
- ____ Service Unit
- ____ Classified Files Unit
- ____ General Files Unit
- ____ Correspondence Unit
- ____ Records Retirement Unit
- X Attention Miss Kluge

(Check appropriate item(s) below)

- ____ CLASSIFY AND RECORD.
- X NOT FOR Criminal
- X CHANGE ASSIGNMENT FBI
- ____ NEW CASE. (Make "New")
- ____ NOW "NEW." SEE
- ____ BRING FILE UP-TO-DATE
- ____ FILE ATTACHED MATERIAL. (Each piece marked "File" and initialled)
- ____ PLEASE CALL ____ EXT. ____
- ____ RETURN TO ____ ROOM ____
- ____ OTHER (Specify)

Name of requestor Louis Rigdon

Division Criminal Room 1625

GPO 944-970

62-109060

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Jenkins

DATE: 8/7/74

FROM : Mr. McDermott

SUBJECT: REUTERS INQUIRY REGARDING PHOTOGRAPHS RELATING TO KENNEDY ASSASSINATION

The LA Times re-
quiry of Jack
Ruby & the Wallace
assassination continues
to give us trouble.
Pls. try to still pressure
one to avoid the
same situation as
above (John) continued - DC

On 8/7/74 Bob Horton, a reporter for Reuters News Service (628-9212), telephonically contacted W. D. Ellingsworth of the External Affairs Division, and advised him that he was in possession of two photographs purporting to show E. Howard Hunt and Frank Sturgis, both of whom have been associated with the Watergate breakin, in Dallas, Texas, on November 22, 1963, the day of the John F. Kennedy assassination. Horton requested that he be placed in contact with a "resident FBI expert on the Kennedy assassination" in order to look at the pictures and determine the validity of the allegation that it is in fact Hunt and Sturgis.

A check of Bureau files indicates that in May, 1973, the Bureau was advised of the existence of two photographs provided by a news station which depict two men in dingy clothing being escorted along a city street by two Dallas police officers. At that time, it was suggested that one of the individuals strongly resembled Frank Sturgis. No mention, however, was made of any resemblance on the part of the second individual to E. Howard Hunt.

A further check with Reuters indicated that the photographs were provided by two young "Yippie" individuals who stated only that they were interested in the case and did not elaborate. According to Horton, the men had researched the case well and made reference to E. Howard Hunt being a member of Group 5412/2 which they say is borne out in secret Watergate testimony. According to these men, Group 5412/2 was instrumental in the Bay of Pigs invasion. Horton also indicated that the two had a scheduled meeting at 3:30 p.m. this date with Congressman Henry B. Gonzalez (D-Texas) to show him the photographs and to elicit his support in reopening the Kennedy investigation.

Horton was advised that we will look into trying to locate for him a Bureau representative who was actively involved in the Kennedy investigation, and he was also advised that the task is complicated due to retirements on the part of many of those who were active in the case.

1 - Mr. McDermott
1 - Mr. Gebhardt (CONTINUED-OVER)
1 - Mr. Malmfeldt
1 - Mr. Bowers WDE:asg (6)

REC-88 62-109060-7121

AUG 15 1974

56 AUG 21 1974

Further, Inspector David Bowers was contacted and was advised to make contact with Congressman Gonzalez' Administrative Assistant and to advise the Administrative Assistant that the Bureau in the sake of thoroughness is interested in any information these individuals may have concerning the case and to stress that we would like to have them provide this information to our Washington Field Office.

The Washington Field Office was contacted to provide photographs of Sturgis and Hunt for comparability with photographs in our possession to determine the validity of the claim. These were compared but no identification could be effected.

Inspector Bowers contacted the office of Congressman Gonzalez and spoke to an aide who informed Bowers that Michael Canfield and A. J. Weberman, underground newspaper people out of New York, who have previously been in touch with Gonzalez' office, were expected by the Congressman this afternoon. Bowers requested that Congressman Gonzalez prevail upon Canfield and Weberman to make themselves available for interview by the FBI in the interest of resolving the questions raised by them as soon as possible. Bowers was told that he would be contacted by the Congressman's office after these two arrived to advise him as to their availability.

RECOMMENDATION

For information.

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Jenkins DATE: 8-13-74

FROM : J. J. McDermott

SUBJECT: REUTERS INQUIRY REGARDING PHOTOGRAPHS RELATING TO KENNEDY ASSASSINATION

Reference my memorandum of 8-7-74 concerning contact by two individuals with Reuters News Service with information possibly connecting E. Howard Hunt and Frank Sturgis with events surrounding the assassination of John F. Kennedy on 11-22-63. As reported in this memorandum, the two individuals who had contacted Reuters indicated they were going to the office of Congressman Henry B. Gonzalez (D-Texas). Inspector Bowers contacted Gail Beagle, Administrative Assistant to the Congressman, and determined that the individuals were Michael Canfield and Allen J. Weberman who are connected with underground newspapers in New York. Mrs. Beagle was advised that the FBI would like to talk with these individuals if possible.

Shortly after 5:30 p.m. on 8-7-74, Canfield called Bowers and stated he and Weberman would be pleased to talk with FBI Agents. He stated they would be in Washington the rest of the week and said he would call Special Agent Supervisor John Ruhl at the Washington Field Office the following morning, 8-8-74, to arrange a mutually convenient time for the interview. Canfield stated that since most of their "evidence" is photographic in nature, it would be helpful if someone knowledgeable in photography could be present during the interview. This information was relayed to Mr. Ruhl on the afternoon of 8-7-74.

On 8-12-74, it was determined that Canfield had not contacted Ruhl as promised. At the request of the General Investigative Division, Bowers recontacted Mrs. Beagle to determine where Canfield and Weberman might be reached. She advised they were still in Washington and were, in fact, then in the Congressman's office. Bowers again spoke with Canfield who again expressed their willingness to speak with the FBI. An appointment was made with him to be interviewed by Agents of the Washington Field Office at 2 p.m. on 8-13-74 at the office of Congressman Gonzalez. This information was promptly furnished to appropriate personnel in the General Investigative Division and to Mr. Ruhl in the Washington Field Office.

REC-88 62-109060-7122

15 AUG 15 1974

RECOMMENDATION:

Refer to General Investigative Division.

1 - Mr. Callahan
1 - Mr. Gebhardt
DWB:kjs (6)

1 - Mr. McDermott
1 - Mr. Bowers

CASSETTE ITEM 1 1/11/77

FD-36 (Rev. 5-22-64)

FBI

two of the individuals in these photographs are E. HOWARD HUNT and FRANK A. STURGIS, both of whom had been implicated in Watergate.

He intends to furnish these photographs to the FBI in hopes that the FBI would compare same against the known photographs of HUNT and STURGIS.

He also advised that he and CANFIELD are only two of many individuals who are still conducting research into the KENNEDY assassination, independent of CANFIELD and himself.

The Bureau will be advised of further contact with either CANFIELD or WEBERMAN.

FD-36 (Rev. 5-22-64)

FBI

Date: 9/5/74

Transmit the following in _____ (Type in plaintext or code)

Via AIRTEL _____ (Priority)

Dep.-A.D.-Adm.
Dep.-A.D.-Inv.
Asst. Dir.:
Admin.
Comp. Syst.
Ext. Affairs
Files & Com.
Gen. Inv.
Ident.
Inspection
Intell.
Laboratory
Plan. & Eval.
Spec. Inv.
Training
Legal Coun.
Telephone Rm.
Director Sec'y

TO: DIRECTOR, FBI (62-109060)
(ATTN: EXTERNAL AFFAIRS DIVISION AND GENERAL INVESTIGATIVE DIVISION)

FROM: SAC, WFO (89-75) (RUC)

ASSASSINATION OF JOHN FITZGERALD KENNEDY
DALLAS, TEXAS
11/22/63
(OO:DA)

Re WFO airtel dated 8/14/74 and Bu telecall to WFO, 9/5/74.

SA JOHN A. RUHL contacted MICHAEL CANFIELD at the Office of Congressman HENRY B. GONZALES today. CANFIELD advised that he has been unable to get the necessary photographic copies, but anticipated delivering them to WFO, 9/11/74.

Bureau will be kept advised.

REC-60 62-109060-7124

15 SEP 10 1974

EX-110

(2- Bureau
1- WFO

JAR:mrh
(3)

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

U.S. Government Printing Office: 1972 — 455-574

Sept 14, 74.

Page 1

Dear Sir;

A friend an I was talking about John F. Kennedy's assassination. He said that he wrote a letter to you and you said all information about it was classified Top Secret. I was wondering why it is? If Oswald was just a nut and shot Kennedy why should it be Top Secret? Could it have been a corispiracy? Thank you for your time.

62-109060-7125

REC-59

EX-103

O.K. a-13-74

Sincerely,
David Jackson
9112 Holmes Rd.
Kansas City, Mo.
64131

SEP 16 1974

CORRESPONDENCE

P.S. If you don't know any one of these answers please give this to Chief Kelly. Thanks once again.

JWJ
13

DAVID JACKSON
Kansas City, Mo. 64131 ← 9112 Holmes Rd.

Director
FBI
U.S. Department of Justice
Washington D.C. 20535

REC-59 62-109060-7125

September 13, 1974

EX-103

Mr. David Jackson
112 Holmes Road
Kansas City, Missouri 64131

Dear Mr. Jackson:

With regard to your letter of September 4th, I would like you to know that the FBI conducted a prompt, intensive, objective and thorough investigation of the assassination of President Kennedy at the direction of President Johnson.

The results of this investigation were not classified "Top Secret" but were accurately reported to the President's Commission on the Assassination of President Kennedy. All available evidence and facts point to one conclusion--that Oswald acted alone in his crime. The Commission published its findings and included FBI data in its report. A copy of this document may be available in your local library.

Sincerely yours,

C. M. Kelley

Clarence M. Kelley
Director

MAILED 6
SEP 13 1974
FBI

NOTE: Mr. Jackson is not identifiable in Bufiles.

mn:dsh (3)

Assoc. Dir. ____
Dep. AD Adm. ____
Dep. AD Inv. ____
Asst. Dirs.
Admin. ____
Comp. Syst. ____
Ext. Affairs ____
Files & Com. ____
Gen. Inv. ____
Ident. ____
Inspection ____
Intell. ____
Laboratory ____
Plan. & Eval. ____
Spec. Inv. ____
Training ____
Legal Coun. ____
Telephone Rm. ____
Director's Sec'y ____

SEP 19 1974

MAIL ROOM ☒ TELETYPE UNIT ☐

Return to WFO 62-4726

Airtel

To: SACs, Dallas (Enclosures - 11) 9/18/74
Chicago (Enclosure)
WFO (Info.)

1 - Mr. Gebhardt
1 - Mr. Bates
1 - Mr. Nettles
1 - Mr. McDermott
1 - Mr. White
1 - Mr. Bowers
1 - Mr. Shaneyfelt

From: Director, FBI

ASSASSINATION OF JOHN FITZGERALD KENNEDY
DALLAS, TEXAS
11/22/63
OO: DALLAS

Enclosed for Dallas are eight photographs showing three individuals in custody of police officers in the vicinity of the Texas School Book Depository, one each of known photographs of E. Howard Hunt and Frank Sturgis, and one photograph of a newspaper article from "The New York Times." Enclosed for Chicago is one photograph of one of the persons in Dallas. These items were photographed from an album furnished to the Director by Donald Donahue, Special Assistant to Senator Jackson of Washington.

By way of background, on 8/7/74 Bob Horton, a reporter for "Reuters News Service," contacted FBIHQ to advise he was in possession of two photographs purported to show E. Howard Hunt and Frank Sturgis (both associated with the Watergate break in) in Dallas, Texas, on 11/22/63, the day of the assassination of President Kennedy. Horton had obtained these photographs from two young "Yippie" individuals who had a meeting scheduled with Congressman Henry B. Gonzalez (Democrat - Texas) to show him the photographs to elicit his support in reopening the Kennedy investigation.

MAILED 7
SEP 18 1974
FBI

The two "Yippie" individuals were identified through Congressman Gonzalez's office as Michael Canfield and A. J. Weberman, underground newspaper people from New York.

Assoc. Dir. ____
Dep. AD Adm. ____
Dep. AD Inv. ____
Asst. Dir.
Admin. ____
Comp. Syst. ____
Ext. Affairs ____
Files & Com. ____
Gen. Inv. ____
Ident. ____
Inspection ____
Intell. ____
Laboratory ____
Legal Coun. ____
Plan. & Eval. ____
Spec. Inv. ____
Training ____
Telephone Rm. ____
Director Sec'y ____

EX-105 REC-75 62-109060-7126

WEN:dmp
(14)

SEE NOTE PAGE THREE

NR SEP 19 1974

SEP 23

MAIL ROOM ☐ TELETYPE UNIT ☐

62-109060

Canfield was interviewed by WFO Agents on 8/13/74. He advised that their research determined that three individuals had been arrested shortly after the assassination and were taken to the Sheriff's Office in Dallas. Investigation by them indicated no record of these arrests. Canfield had in his possession several photographs which he claimed to have obtained from Dallas newspaper files concerning the arrests. He indicated he felt that two of the individuals in the photographs are E. Howard Hunt and Frank A. Sturgis. He stated he would have copies made of the photographs and would contact WFO to turn them over for comparison with known photographs of Hunt and Sturgis. Subsequent contact with Canfield on 9/5/74 revealed that he would make the photographs available on 9/11/74.

In the meantime, Mr. Donahue of Senator Jackson's office obtained the photographs from Canfield in album form and made them available to the Director.

Laboratory examination of the photographs is negative regarding identifying Sturgis and Hunt as being two of the persons arrested. Differences in facial characteristics were noted. No evidence was found to indicate that the photos had been "doctored," however, this cannot completely be eliminated.

Notations in the album raise the question as to whether or not the third person arrested could be Thomas Arthur Vallee. Chicago, refer to report of SA Leo R. Pedrotty dated 12/2/63 in your file 62-6115 wherein the possibility of association between Vallee and Lee Harvey Oswald was considered.

The enclosed newspaper article mentions Dallas Police Sergeant D. V. Harkness and other officers pulling some "tramps and hoboes" off a long freight train and taking them in for questioning. It also mentions that Deputy Sheriff Harold E. Elkins took three prisoners brought in by a policeman from the railroad yards and turned them over to Police Captain J. Will Fritz, Chief of the Homicide Bureau. Also mentioned is a report of Deputy Sheriff C. L. Lewis regarding the arrest of Lonnie Ray Wright on the railroad tracks.

Airtel to SACs Dallas, Chicago, and WFO
RE: ASSASSINATION OF JOHN FITZGERALD KENNEDY

Dallas, identify the police officers shown in enclosed photographs and through them identify the three persons in their custody. Determine if they were fingerprinted. If fingerprints not available, set forth appropriate leads for them to be located to determine whether or not they are Hunt, Sturgis and Vallee.

Chicago, obtain photograph of Vallee for submission to the Laboratory Division for examination to determine if he was possibly one of the three persons in custody in Dallas.

NOTE: Representative of "Reuters News Service" contacted External Affairs Division 8/7/74 reporting he had two photos purported to show E. Howard Hunt and Frank Sturgis of Watergate fame in the vicinity of the location of assassination of President Kennedy in the custody of police officers, but no record could be located regarding the arrest. It was determined that two "Yippie" type reporters had provided the photos to "Reuters" and that they were investigating this matter under the auspices of Congressman Gonzalez of Texas. The Director noted on the McDermott to Jenkins memo of 8/7/74 - "'The LA Times' inquiry of Jack Nelson on the Wallace assassination continues to give us trouble. Pls. try to still present one to avoid the same situation as above which continues." Through Congressman Gonzalez's office, WFO Agents interviewed one of the "Yippie" reporters, Michael Canfield, on 8/13/74, who promised to recontact WFO to make available copies of his photos. In the meantime, Don Donahue, Special Assistant to Senator Jackson of Washington, obtained an album containing the photographs from the "Yippie" reporters and provided it to the Director. The Lab examined the photos and found differences in facial characteristics between the photographs and known photographs of Hunt and Sturgis. No evidence was found that the photos had been "doctored," but this cannot be completely eliminated because of the possibility that such "doctoring" can be done without detection. No photo could be located of Thomas Arthur Vallee for comparison to determine if he was possibly the third person under arrest. This possibility was raised in the album. Vallee was arrested in Chicago, Illinois, several days before the assassination based on a threat

SEE NOTE CONTINUED PAGE FOUR

against the President. Dallas is instructed in this communication to identify the three persons in the photographs to determine whether or not they are Hunt, Sturgis and/or Vallee. Chicago is instructed to obtain a photo of Vallee for comparison by the Lab.

FD-36 (Rev. 3-22-84)

FBI

Date: 9/13/74

Transmit the following in _____ (Type in plaintext or code)

Via AIRTEL _____ (Priority)

TO: DIRECTOR, FBI (62-109060)
(ATTN: EXTERNAL AFFAIRS DIVISION AND GENERAL INVESTIGATIVE DIVISION)

FROM: SAC, WFO (89-75)

ASSASSINATION OF JOHN FITZGERALD KENNEDY
DALLAS, TEXAS
11/22/63
(OO:DA)

Re WFO airtel dated 9/5/74.

SAM JAFFE, Free-Lance Writer, 6510 Bradley Boulevard, Bethesda, Maryland, 20034, telephone 365-1196, called WFO during evening of 9/12/74 and asked to speak with SA JOHN A. RUHL. SA RUHL returned JAFFE's call and JAFFE advised him that he, JAFFE, was aware that SA RUHL had been in touch with MICHAEL CANFIELD regarding a story CANFIELD was working on to the effect that HUNT and STURGIS of the Watergate Break-in Case had appeared in news pictures of alleged bums taken after the President KENNEDY Assassination near the Book Depository in Dallas, Texas.

62-109060-7127

JAFFE claims to have given CANFIELD $300 as an advance on this story and requested SA RUHL to give him (JAFFE) an evaluation of CANFIELD's reliability. He was told that such an evaluation would not be made.

SEP 20 1974

JAFFE went on to say that he believed CANFIELD's theory had good potential and said that CANFIELD had received $500 from an unidentified Swiss Publication presumably

(3) Bureau
1- WFO
JAR:mrh
(4)

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

U.S.Government Printing Office: 1984 — 455-574

84 SEP 30 1974

as an advance for the story. According to CANFIELD this publication has access to a photo-identification expert. In addition, JAFFE claims that CANFIELD has two other independent photo-identification experts who are either now working or will work on the questioned photographs.

Also, CANFIELD had reportedly interested two Doctors concerned with Forensic Medicine who are willing to pursue his theory.

When SA RUHL failed to supply JAFFE with an evaluation of CANFIELD, JAFFE said that he had been in touch with Agents over many years on matters of mutual interest and that if necessary he would go to Assistant Director SULLIVAN. He mentioned this in a manner that led SA RUHL to believe JAFFE considered SULLIVAN a current Assistant Director of the FBI.

JAFFE expressed concern that the FBI Lab would not do a proper evaluation of any photographs submitted by CANFIELD because of a lack of confidence in CANFIELD's theory. JAFFE was advised that the FBI investigated carefully any reasonable allegation relating to a violation of law under FBI Jurisdiction. JAFFE was requested to furnish any pertinent information regarding CANFIELD's allegation.

CANFIELD contacted SA RUHL on 9/12/74 to advise that he will deliver the pertinent photographs to WFO on 9/13/74.

Bureau will be kept advised.

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Adams

FROM : R. E. Gebhardt

DATE: September 10, 1974

1 - Mr. Gebhardt
1 - Mr. Bates
1 - Mr. Nettles
1 - Mr. McDermott
1 - Mr. White

SUBJECT: ASSASSINATION OF JOHN FITZGERALD KENNEDY
DALLAS, TEXAS
11/22/63

Today the Director furnished to me the attached folder containing numerous photographs taken at the time of the assassination of President Kennedy in Dallas, Texas, by Dallas newspapers and known photographs of E. Howard Hunt and Frank Sturgis. Information in this album raises the question as to whether the photographs taken in 1963 could be Hunt, Sturgis or Thomas Arthur Vallee.

The Director received this album from Donald Donahue, Administrative Aide to Senator Jackson of Washington; [redacted] Donahue received the album from a Mike Canfield who was described as a freelance reporter. (It is noted memorandums of 8/7/74 and 8/13/74 captioned "Reuters Inquiry Regarding Photographs Relating to Kennedy Assassination" related to this same subject matter and sets forth that Canfield and Allen J. Weberman are working on this project out of the office of Congressman Henry B. Gonzalez (D-Texas). Apparently these are the photographs Canfield promised Bowers that he would make available to the FBI.)

According to Donahue, Canfield has advised he developed a rapport with the officer in photograph #4. It is not known whether the officer furnished any information Canfield as to the identity of the three individuals apparently in custody. Donahue states, however, that according to Canfield there is no record in the Dallas Police Department concerning any such arrests of these three individuals. It is further noted in the album several questions have been raised as to whether the photographs were doctored. The significance of these questions is not known.

62-109060-7128

REC-43

CONTINUED - OVER

SEP 10

REG:mcw
(6)

EX-105

Enclosure

SEVEN

After discussing this matter with the Director, it was decided this matter should be resolved as quickly as possible and should preclude any further rumor, gossip or supposition in this regard.

ACTION: (1) It is requested that the Laboratory review the entire album and in particular do whatever is necessary to compare the photographs of the three unknown individuals depicted in photograph #4 with the known photographs of Hunt, Sturgis and Vallee. Any comments the Laboratory might have relative to the questions raised as to whether various photographs were "doctored" would be appreciated.

(2) Donahue should be contacted and have him ascertain from Canfield the identity of the police officer depicted in photograph #4 so that we can contact him direct for any information he might have relative to the three individuals apparently under arrest. At that time it should be further resolved whether they were booked and printed or in the alernative were released. (It is noted Donahue requested he be contacted for any additional information we may need from Canfield.)

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. White

DATE: September 12, 1974

FROM : C. F. Downing

SUBJECT: ASSASSINATION OF JOHN FITZGERALD KENNEDY
DALLAS, TEXAS
11/22/63

Reference is made to a memorandum from R. E. Gebhardt to Mr. Adams requesting that the FBI Laboratory compare photographs of three individuals arrested in the vicinity of the assassination of President John F. Kennedy with known photographs of E. Howard Hunt, Frank Sturgis and Thomas Arthur Vallee. The three individuals were reportedly taken from a freight train that was about to leave the railroad yards near the Texas School Book Depository Building immediately following the assassination.

It was determined that the two individuals in these photographs suspected of being E. Howard Hunt and Frank Sturgis are not Hunt and Sturgis. This conclusion is based on the existence of differences in facial characteristics. There are no photographs available in the identification record for Thomas Arthur Vallee or otherwise available in the Laboratory with which the third individual in the submitted photographs could be compared.

Although the possibility of "doctoring" these photographs cannot be completely eliminated because of the possibility that such "doctoring" can be done without detection, no evidence was found to indicate that any of the photographs have been "doctored."

Enclosure

1 - Mr. Gebhardt
1 - Mr. Bates
1 - Mr. Nettles
1 - Mr. McDermott
1 - Mr. White
1 - Mr. Downing
1 - Mr. Shaneyfelt

RLS/kaf

EX-105 K 9-13-74

REC-43 62-109060-7129

SEP 13 1974

CONTINUED - OVER

SEP 27 1974

Memorandum to Mr. White
Assassination of John Fitzgerald Kennedy

The album of photographs is attached.

RECOMMENDATION:

That this memorandum be furnished to the General Investigative Division for their information.

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Jenkins

DATE: 9-13-74

FROM : J. J. McDermott

SUBJECT: ASSASSINATION OF JOHN FITZGERALD KENNEDY
DALLAS, TEXAS
11-22-63

Reference my memorandum of 9-12-74 concerning contacts between Inspector Bowers and Don Donahue, Special Assistant to Senator Henry Jackson (D-Wash.), regarding the information and photographs Donahue had obtained from Michael Canfield which Canfield believes are pertinent to captioned matter.

Late on 9-12-74 Donahue advised Bowers he had learned from Sam A. Jaffe , free-lance writer in Washington who has been involved with Canfield concerning this matter, that Canfield apparently has made a deal with Stern Magazine, a German publication described as the Life Magazine of Germany, for its use of the photographs Canfield has collected and the information concerning them. This magazine allegedly has arranged for a Swiss photographic expert to examine the pictures in an effort to determine if the three "bums" shown in the photographs might be identical to E. Howard Hunt, Frank Sturgis, and Thomas Arthur Vallee.

Supervisor John Ruhl of Washington Field Office advised Bowers on the night of 9-12-74 that he had received a call from Jaffe who was seeking an FBI evaluation of Canfield's reliability and the information Canfield had regarding the Kennedy assassination. Jaffe told Ruhl he had given Canfield $300 as an advance toward a possible story which he might write regarding the photographs and information Canfield has developed. Ruhl furnished Jaffe no information. He is submitting a communication to the Bureau on 9-13-74 furnishing full details of his conversation with Jaffe. Ruhl also advised that Canfield had contacted him on 9-12-74 and promised to furnish him a set of the photographs he has obtained in accordance with a promise he had made to Ruhl some time ago.

Memorandum of 9-12-74 from Mr. Downing to Mr. White reported that Laboratory examination of the photographs which were furnished to the Bureau by Donahue has led to the conclusion that Hunt and Sturgis are not identical with the

1 - Mr. Callahan
1 - Mr. Adams
1 - Mr. Gebhardt
1 - Mr. White

1 - Mr. McDermott
1 - Mr. Bates
1 - Mr. Bowers

DWB:kjs (9)

CONTINUED - OVER

UNRECORDED COPY FILED IN

62-109060-7130

"bums" in the photograph with the police officer. No photograph of Vallee was available for comparison in this regard. The Laboratory made copies of all the information furnished by Donahue, and the originals of the photographs and notes were returned to him on 9-13-74 by Bowers. Donahue had told Canfield he was going to have a contact examine the pictures but did not identify his contact. Donahue intends to tell Canfield that his contact does not believe the "bums" are identical with Hunt and Sturgis and that he does not want to become involved in this matter since he feels it is a situation which should be handled by the FBI.

RECOMMENDATION:

For information.

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Jenkins

DATE: 9-12-74

FROM : J. J. McDermott

SUBJECT: ASSASSINATION OF JOHN FITZGERALD KENNEDY
DALLAS, TEXAS
11-22-63

Reference memorandum of 9-10-74 from Mr. Gebhardt to Mr. Adams concerning the album of photographs furnished the Director by Don Donahue, Special Assistant to Senator Henry Jackson (D-Wash.), and recommending that Donahue be contacted to obtain the identity of the police officer shown in photograph number 4.

Inspector Bowers interviewed Donahue on the afternoon of 9-11-74. Donahue stated the album of photographs was furnished to Richard Perle, Professional Staff Member on the Senate Permanent Subcommittee on Investigations, which is chaired by Jackson, about two weeks ago. He said Michael Canfield, who furnished the photos to Perle, had been put in contact with Perle by Sam Jaffee (phonetic), identified as a free-lance writer in the Washington area who supposedly has close contacts with the Chicago Tribune. Jaffee, according to Donahue, is a source for Perle and is the individual who first tipped Senator Jackson to the fact that sophisticated law enforcement equipment was being sold to the Russians, an issue over which Senator Jackson has raised considerable controversy. Perle gave the photos to Donahue at Senator Jackson's instructions for Donahue to handle the matter. Donahue talked with Canfield about 9-4-74 and learned from him that some of the photographs had been obtained from the files of the three Dallas newspapers. The papers said the photographs were ones which had never been published. The question arose as to whether or not the pictures might have been "doctored," and Canfield and his associates attempted to obtain the negatives from the newspapers. One paper claimed the negatives had been stolen, another paper refused to furnish the negatives, and the third paper wanted $500 for the negatives.

1 - Mr. Callahan
1 - Mr. Adams
1 - Mr. Gebhardt
1 - Mr. White
1 - Mr. McDermott
1 - Mr. Bates
1 - Mr. Bowers

62-109060-7131

EX-105 REC-16

SEP 18 1974

DWB:kjs (9)

CONTINUED - OVER

58 SEP 27 1974

CONGRESSIONAL SERVICE

J. J. McDermott to Mr. Jenkins Memo
RE: ASSASSINATION OF JOHN FITZGERALD KENNEDY

One of the photographs (number 4) shows a police officer with three "bums" who allegedly were arrested by the officer behind the Texas School Book Depository shortly after President Kennedy was shot. Canfield claims these individuals were never booked, fingerprinted, or photographed in connection with this arrest. Donahue told Canfield he would have a photographic expert look at the pictures and that he should have the results of this examination by 9-16-74 when Canfield is scheduled to return to Washington from New York City.

Jaffee phoned Donahue late on 9-10-74. Donahue has never met Jaffee. Jaffee opened the conversation by saying he had been referred to Donahue by mutual friends in the FBI and Secret Service. He also mentioned his acquaintance with Perle and then began discussing the photographs Canfield had furnished to Perle. Jaffee said he had personally talked to the officer in the photograph whom he identified as Officer Harkness (phonetic). He said the officer has retired from the Dallas Police Department and now is living in Louisiana. He said Jaffee claimed to have talked to Harkness last week and Harkness stated he recalled finding the three bums behind the Depository about ten minutes after Kennedy was shot. He said he had arrested them and taken them to the sheriff's office and the sheriff had told him to take them to Captain Fitz or Fritz of the Dallas Police Department. This Harkness did and he waited outside the office while the Captain questioned the three men for no more than 15 minutes. The Captain then came out and told Harkness to release the men. Jaffee said Harkness reported the men were not booked, fingerprinted, or photographed and as far as he knows their names were not taken.

Donahue said Jaffee raised the question as to whether or not these men might have had FBI, CIA, Secret Service, or some other Government agency credentials which he felt would be necessary to effect their release by the Captain so quickly. Jaffee claimed he had discussed this matter with Rufus Youngblood, former head of the White House Detail of Secret Service, and Youngblood said he has an "open mind." Jaffee also stated he had talked to Jim Squires, head of the Chicago Tribune News Bureau in Washington and Squires wants to see the photographs saying this could be "dynamite." Jaffee also claimed that within the last few weeks he had talked to one Herbert Orth, a former CIA photographic expert who served as the photographic expert for the Warren Commission and Orth said the Commission had never heard of a photograph such as described by Jaffee (the photograph of the officer and the three bums). Orth, according to Jaffee, is now assistant chief of the Time-Life Photographic Laboratory in New York City. Jaffee also said that he had received a call from CBS asking about the photographs and said he could not understand how CBS had learned about this matter. Donahue said Jaffee agreed the matter should be taken up with the FBI. Donahue said Jaffee described Canfield as a "scared kid" who is possibly afraid for his safety and afraid that some

CONTINUED - OVER

news outlet may use this material before Canfield can make use of it himself. Donahue said Jaffee apparently hopes to have an exclusive on this story if and when it breaks.

It was pointed out to Donahue that it appears highly unlikely that Canfield is afraid of the story leaking since there is good indication he has been attempting to peddle this story all around town as illustrated by his contact with Jaffee and Jaffee's contacts with the Chicago Tribune and Time-Life. Donahue was told also that we are aware that Canfield has approached Reuters News Service. He was told that we have talked with Canfield on several occasions and while Canfield has promised to furnish us the photographs in question he has never done so.

By way of background, Bowers has talked with Canfield by telephone on 8-7-74 and 8-12-74 to arrange an appointment for an Agent of Washington Field Office to interview him. Washington Field Office Supervisor John Ruhl and another Agent did interview Canfield in the Office of Congressman Henry Gonzalez (D-Texas) on 8-13-74, and Canfield told them he would furnish them copies of the photographs in the near future. Ruhl spoke with Canfield on 9-5-74 since the photographs had not been received, and Canfield said they would be furnished to Ruhl by 9-11-74. They were not.

Donahue is reluctant to recontact Jaffee or Canfield seeking the full identity of the police officer unless absolutely necessary since he feels this may cause them to lose confidence in him. He indicated he would make further inquiry in this regard if we are unable to locate Harkness through the Dallas Police Department. Donahue said he intends to tell Canfield when he contacts him on Monday that he has had an expert look at the pictures and "there may be something to this;" hence, he would want to keep the photographs and refer them to the FBI. He said he would like to have the photographs back by Monday to have them in hand when Canfield contacts him. It was pointed out to Donahue that should he make such a statement to Canfield this could be used by Canfield in giving credence to his story and might be interpreted as an acceptance of this story by Senator Jackson. Donahue then agreed that he would make no statement whatever to Canfield and would merely put him off should Canfield contact him before the Bureau is complete with its inquiry into this matter.

RECOMMENDATION:

Refer to the General Investigative Division.

Jim Dave

FBI

Date: 9/19/74

Transmit the following in _____ (Type in plaintext or code)

Via AIRTEL _____ (Priority)

TO: DIRECTOR, FBI (62-109060)
(ATTN: EXTERNAL AFFAIRS DIVISION
AND GENERAL INVESTIGATIVE
DIVISION)

FROM: SAC, WFO (89-75)

ASSASSINATION OF JOHN FITZGERALD
KENNEDY
DALLAS, TEXAS
11/22/63
(OO:DA)

Re WFO airtel to Bureau dated 9/13/74.

On 9/17/74, SA JOHN A. RUHL contacted the Office of Congressman GONZALES, Democratic, Texas, and left a message for MICHAEL CANFIELD to call him in an effort to resolve the problem of securing pictures from CANFIELD which he had advised he would furnish. Subsequently, GAIL BEAGLE, Administrative Assistant to the Congressman, called and furnished SA RUHL with telephone number 966-3880 for CANFIELD. She believes this number is for an unknown numbered address on Upton Street, N.W. She explained that she was beginning to have her doubts about CANFIELD as he did not appear to be reliable. She explained that she had furnished him with a set of photographs for the FBI and he had later requested another set.

(3) Bureau
1- WFO

JAR:mrh
(4)

62-109060-7132

RO SEP 24 1974

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

U.S. Government Printing Office: 1972 — 455-574

She advised that she had talked to a Free-Lance writer, SAM JAFFE, and that JAFFE had told her that CANFIELD received $300 from an unidentified Chicago newspaper and $500 from the Reuters Newspaper Agency regarding his "story" on the KENNEDY Assassination.

On 9/17/74, SA RUHL called CANFIELD requesting the set of pictures he had stated he would furnish to the FBI. CANFIELD explained that he had not received a complete set from Congressman GONZALES' Office and that when he did receive a complete set, he would furnish them to the FBI.

CANFIELD inquired as to whether results of any laboratory examination would be given to him and he was advised that such results would not be made available to him, but that positive results could form the basis for additional investigation.

FD-36 (Rev. 5-22-64)

FBI

Date: 9/24/74

Transmit the following in _____ (Type in plaintext or code)

Via AIRTEL (Priority)

TO: DIRECTOR, FBI (ATTN: LABORATORY DIVISION)

FROM: SAC, CHICAGO (62-6115)

SUBJECT: ASSASSINATION OF JOHN FITZGERALD KENNEDY
DALLAS, TEXAS
11/22/63
OO: DALLAS

740927099

Re Buairtel to Dallas, Chicago, and WFO dated 9/18/74

Enclosed for Bureau is one photo of THOMAS ARTHUR VALLEE, one identification sheet, one criminal history, and one copy of arrest report, all pertaining to VALLEE and obtained from the Chicago PD, Chicago, Illinois.

Item #11, CB 1393986, is the enclosed arrest report. (CB means Central Booking).

Item # 10, RD 323797 is maintained for only a seven year period and is then destroyed. (RD stands for Record of Deposition and is the report handwritten by the arresting police officer).

Case being maintained pending status Chicago in view of possible additional investigation being requested by Bureau or auxiliary offices.

Copy of Documents retained in Lab for Lab Action and Report

62-109060-7133

2-Bureau (Encs.4)
2-Dallas (Info)
1-WFO (Info)
2-Chicago

CJW:smm
(7)

SEP 26 1974

Sent _____ M Per _____

Special Agent in Charge

U.S. Government Printing Office: 197 — 653-870

Airtel

To: SACs, Dallas (Enc.)
Chicago (Enc.)
WFO (Enc.)

9/25/74

1-Mr. Gebhardt
1-Mr. Bates
1-Mr. Nettles
1-Mr. McDermott
1-Mr. Wannall
1-Mr. White
1-Mr. Bowers

From: Director, FBI (62-109060)

ASSASSINATION OF JOHN
FITZGERALD KENNEDY,
DALLAS, TEXAS, 11/22/63
OO:—DALLAS

ReBuairtel 9/18/74 and Butelcals to Dallas, 9/19/74 and Chicago, 9/23/74.

Enclosed for receiving offices is one Xerox copy each of an article which appeared in the March 15-21, 1974, edition of the "Berkeley Barb," an underground newspaper published in Berkeley, California, which has come to the attention of FBIHQ.

The photographs in the article are the same ones as were furnished to receiving offices by reairtel. The article sets out in detail the allegations regarding the involvement of E. Howard Hunt, Frank Sturgis, and Thomas Arthur Vallee in the assassination of President Kennedy.

It should be noted that the credits for the article indicate it came from the "Yipster Times," which suggests Allen J. Weberman and Michael Canfield as the possible authors.

This material is being furnished to Dallas and Chicago for their investigative assistance and to WFO for information.

WEN:dka
(14)

1—ENCLOSURE

SEE NOTE PAGE 2.

REC-18 62-109060-7134

MAILED 7
SEP 25 1974
FBI

25 SEP 26 1974

Airtel to SACs, Dallas, Chicago and WFO
Re: ASSASSINATION OF JOHN FITZGERALD KENNEDY

As was set forth in retelcals to Dallas and Chicago, the identity of Donald Donahue, Special Assistant to Senator Jackson, as the source of the photographs should be protected and leads should be expeditiously covered.

In addition to leads set forth in reairtel, Chicago should attempt to determine the whereabouts of Vallee on 11/22/63.

NOTE: By airtel of 9/18/74, Dallas, Chicago and WFO were furnished photographs taken in Dallas, Texas, on 11/22/63, showing 3 persons under arrest in the vicinity of the Texas School Book Depository and allegations that the persons under arrest were E. Howard Hunt and Frank Sturgis, of Watergate fame, and Thomas Arthur Vallee, who was arrested in Chicago, Illinois, severals days before the assassination based on a threat against the President. The source of the allegations and photographs were two underground newspaper people who have involved the offices of Senator Henry Jackson and Representative Henry B. Gonzalez in looking into the allegations. The FBI Laboratory has examined the photographs and advised that 2 of the persons under arrest are not Hunt and Sturgis, but they could not positively eliminate the possibility that the photographs had been doctored. In reairtel, Dallas was instructed to identify the persons under arrest in an attempt to eliminate the possibility that they are Hunt, Sturgis and Vallee. Chicago was instructed to obtain a photograph or Vallee for comparison by the FBI Laboratory. Subsequent to the reairtel, FBIHQ came into possession of a March 15-21, 1974, edition of the "Berkeley Barb" which contains the same photographs and an article setting forth the allegations. This airtel furnishes copies of that article to Dallas and Chicago for investigative assistance and to WFO for information, and sets forth additional lead for Chicago to attempt to determine whereabouts of Vallee on 11/22/63. The identity of Donald Donahue as having made the photographs available to FBIHQ is being protected at the request of Inspector Bowers of the External Affairs Division.

WAKE UP AMERICA!

[jump to p. 1]

If everyone's attention was focused on Oswald (about 65 minutes after JFK's assassination) -- then they're being released, (either because they were 'checked-out' and found to be clean (or for Hoff Security Reasons) without being booked or fingerprinted.

Hunt didn't dig this plan, since it might involve him being photographed while being led to the station. As a confirmed spook (when he was busted for Watergate, there were no known pictures of him on file anywhere) he couldn't relate to this at all. But he had to follow orders.

Sure enough, several photographers took the lamest pictures and newsshots were printed in early editions of the Dallas Times Herald and the Fort Worth Telegram. These are the shots of the bums numbered 1, 2, 6, 11, & 13.

Firstly, these guys looked too composed to be derelicts, too clean shaven and too well groomed. Their shoes have thick soles on them -- only he did it in the underground (see #6) Notice how one of the bums tries to avoid being photographed by ducking behind his comrades -- you can see his boot and the top of his hat is #1. When he finally becomes visible in #2 & 3 his face is obscured by shadows and in #4 part of his face is blocked-off. Notice how apprehensive the bum looks in #5--he obviously doesn't dig being photographed. But the strangest thing about them is that the bum shown in #13 is a deadringer for Lee Harvey Oswald. If you saw this man in the 6th floor window of the Book Depository, you would definitely mistake him for Oswald.

Richard Sprague, a computer programmer, reprinted them in a pictorial study of the JFK killing he did for the May 1970 issue of Computers and Automation Magazine. At the end of his piece he asked people to write him if they could identify the bums. Since most copies of Valles or Hunt were over published anywhere and the last picture of Sturgis appeared in an old May '61 Parade Magazine, no one was able to identify them. Judging from his connection with The Committee To Investigate Assassinations, a CIA front group, the purpose of running these pictures was to make sure no one was anything.

Recently, I called Sprague. He said no one had contacted him about the similarity of the bums to the Watergaters (also he'd told others the opposite). He also said there was a height discrepancy between Sturgis and "the bum" of four inches in the bum's favor ..... So went down to Texas and measured the wall the bum stood up against and found he was 6'6" tall.

Sprague also helped spread the false lead that one bum was Minutemen from Wash. and that another was known as "Frenchie" and resembled the Police sketch of the man who shot Dr. King.

Mark Lane, co-author of Executive Action and member of the ill-minded Lane Legal Offensive Committee, also published the pics -- only he did it in the underground press back in 1968.

Let's take a close look at each picture and see how two of the bums compare to the Watergaters. The give-away that the guy in #4 and the bum on the far right are of the same person is the unique shape and size of both inner ears are large and without ear cartilage. Now take a look at #1, at #7 we revealed a 20/3 story about how CBS-reversed footage of Hunt near the grassy knoll was airtime from their Archives. The same thing seems to be happening with these pictures. The Dallas Times Herald told the Committee that they don't release any pictures connected with the killing.

Aside from the fact they were photographed, the plot went as planned. With all the attention focused on Oswald, the bums got lost in the rush -- after their release they were probably flown home by prearranged plans.

E. Howard Hunt's main career was in relation to the Executive Action out Frank Sturgis as mastermind of the face below the nose is turned by the FBI (according to Mae Brussell because he owned an overcoat). Frank was also one of a number of Cubans who told the FBI they saw Oswald in Miami a few months prior to the assassination, trying to start a fight with anti-Castroites. Sturgis also said Oswald had been in touch with Cuban intelligence and many pro-Castro groups.

Another lead surfaced after a Cuban Refugee named Fiaro told the Warren Commission she was visited by "Oswald" and two other men a month before Dallas and told that JFK was going die because of Bay Of Pigs. Later, a man named Hall, who, along with a member of Sturgis' Alpha 66, had been questioned about their purchase of a rifle by the Warren Commission, claimed he and two other men (one of whom looked like Oswald) were the ones who visited her. He later retracted this statement.

Nixon hired Hunt to forge diplomatic telegrams linking JFK to the assassination of Diem. He also had a disguised Hunt (complete with wig and voice modulator) visit Ditty Baird.

It's also strange that the only thing Earl Warren ever did that Hunt and his superconservative friends approved of was to issue the Warren Report. In Give Us This Day, Hunt parrots their line -- "...but it can be forgotten. Lee Harvey Oswald was a partisan of Fidel Castro, an admitted Marxist who made desperate efforts to join the Red Revolution in Havana (a reference to Oswald's trip to the Cuban Embassy in Mexico City. Hunt just happened to be the chief of the CIA-station there at the time...) and an Activist for The Fair Play For Cuba Committee. But for Castro and the Bay Of Pigs disaster... perhaps there would have been no assassination..." This is an element of truth on this last sentence if you take it out of context.

After Watergate broke, evidence began to trickle in linking Nixon to the killing and covering -- he was probably the brains behind the entire plot. First of all, we found out that Nixon had hired the most prominent Democrats -- his old friends from Bay Of Pigs. As the plot here show at least two of these dudes were on the scene in Dallas.

At the Watergate investigation began to point to the Watergaters, Teddy Bear had to call on his most trusted allies -- many of whom had worked on the JFK coverup; Gerald Ford, Warren Com. member; Leon Jaworski, W.C. consultant and CIA general rep; Arlen Specter, W.C. apologist for, and, most recently, Albert Jenner, another W.C. stooge who's now on the Congressional Committee studying impeachment. And we mustn't overlook the meteoric rise to power of Executive Counsel John Connally.

Nixon's close friendship with Bebe Rebozo is also very revealing. Bebe's partner in partners with Manuel Artime, the leader of the anti-Castro Cubans during the Bay Of Pigs period. Artime also financed CREEP high money to the families of the Cuban political prisoners and is the Godfather of one of Hunt's kids.

Nixon was in Dallas on the day of the assassination, and Exec Action co-author Don Freed reports he definitely spoke to someone who was in touch with Jack Ruby. Sherman Skolnick reports he had an official document ordering JFK's death with him.

Looking back at "the past 10 years, it seems that anyone who seriously challenged Nixon's power has been discredited (Martin, Ted Kennedy), murdered (JFK, RFK) or wounded (Gov. Wallace). Hitler's rise to power was preceded by a long string of similar incidents.

As long as he's in government, and maybe as long as he's alive, they'll be assassinations. Brainwash, sabotage of the democratic process, witch-hunts and the ever present threat of martial law and out and out military dictatorship.

No wonder there's been a rebirth of interest in fascism in America -- the DEVIL has been elected President!

WHEN THE FBI COMES KNOCKING

KEEP YOUR MOUTH SHUT

by A. Mouthpiecp

The FBI is in town and snooping for bits and snatches of information with which to nail the Symbionese Liberation Army and whoever else they've been looking for an excuse to hassle.

It's a fair guess that in the days, weeks and months to come the Bay Area will become the target for one of the most exhaustive witchhunts in recent decades.

America's first political kidnap, as it is being billed by the press, is likely to be met with the typical response to any new leftist local police are desperate to prove away with political kidnappings. They are under great pressure to capture the SLA or, at the least, find somebody to frame -- and in the process, to intensify their efforts against all radical activity.

What you -- radical, radical's sympathizer, or friend of radicals -- do or don't do will be crucial in determining whether or not they succeed. According to Channel 2 news, the FBI has moved two additional Special Weapons Attack Teams into the Bay Area. This doubles the number of SWAT units stationed here. There has probably been a similar increase in the number of FBI investigators.

FBI men and local police have been making persistent and abusive visits to a number of people at home and at their workplaces in the East Bay. It will be very surprising if large numbers of radicals don't find these unwanted visitors knocking at their doors in the near future.

There is only one way to deal with the FBI: REFUSE TO TALK. Whatever the feds are looking for, information is a crucial ingredient. It is important for us to recognize that busts and infiltrators aren't the only source of the raw data with which they work. All too often, radical activists and their friends supply dangerous bits of information.

This is how it happens. Some of us get scared when an FBI agent appears at the door. We answer a few "simple" questions because we are afraid to -- afraid of committing some crime by not talking or afraid of provoking more intense curiosity. Our fears in this situation distort our judgment.

There is no law requiring us to talk with an FBI agent or any other investigator or cop. No crime against the State is committed when such a visitor is brushed off and the door shut immediately. You do have to let FBI or police in if they have an arrest or search warrant, but you still don't have to say anything to them.

In a place like the San Francisco Bay Area where there has been much radical activity in the past few years, the FBI is used to being told to get lost. What does, on that, provoke the savage to more intense curiosity is the slightest hint that pressure tactics may have some use from legal recognition. Any cooperation at all supplies that hint.

No FBI agent asks: Please shut up; there is no such thing as small talk with a trained investigator. A kind answer, a short answer, a truthful answer, a helpful answer -- any of these will supply some sort of information which is of use to the State. That's more than enough reason not to tell the truth about whom they are investigating or why, but if you tell any lie to an FBI man, you can be prosecuted under a United States law which makes it a crime to lie to any federal official, even when you are not under oath.

Sometimes when we open the door unarmed and ready to brush the pig off, we get caught by an old interrogation trick. The FBI agent says, "We have some information which tends to implicate you (and some of your friends) in roominghouse or a few errands for such-and-such a guerilla group which we're attempting to get off the streets. If you could answer a few questions, I'm sure we could clear this all up."

Your mouth drops; your mind boggles -- what the hell is he talking about?

Suddenly you've lost your cool and you're only too glad to tell the man what you were really busy doing at the time and who can vouch for you. Maybe that's all the guy wanted to know -- where you were and who was with you. And he's got his answer. The FBI pays its agents to use any method that works, so get it out of your brains.

Another FBI trick is to threaten a friend from subpoena if you refuse to talk. But you can be interested whether or not you cooperate with government investigators.

Past experience has shown that many people have been called before a Grand Jury after they have talked with the FBI, while others who refused to talk were not called. If a Grand Jury is convened to investigate the SLA, people can still be forced at that time to testify and a selective prosecution can ensue.

Some of us are not afraid when the FBI comes -- in fact quite the reverse. We are so arrogant about our rights and the Fed's stupidity that we invite the Man in to ask him questions and find out what the enemy is up to. Our very questions give the man information he might never stumble over. Behind each question is a body of information which may well be revealed in the question itself or in a series of questions. Talking to the FBI direct, you stand one chance in a million of getting an accurate idea of what they're up to, and at the same time you are playing with other people's lives.

What should we do when the FBI comes to call?

It's really pretty simple. Experience has shown that the best response after the caller identifies himself and flashes his badge is to say, "I have nothing to say to you. Goodbye." And shut the door.

If it matters you more cooperative, you can say, "If you have any questions, contact my lawyer. He or she is so-and-so. So long."

Experience indicates that when a person insists on having a lawyer present, the interview doesn't happen.

If you need legal advice or representation in such a situation, and don't have a friendly lawyer, you can call the National Lawyer's Guild, 285-9846.

So, to avoid the hassle...

Don't let them in. Don't be afraid. Don't fall for tricks. Don't be arrogant.

Your silence is golden.

Federal and police investigators often like to send a parent, friend or employer. If such people can be advised of these points -- and explanation of why the feds might be snooping -- there will be less friends on the nets they're trying to fabricate.

If you have any reason at all to think you and the people you live with are likely to get hassled, if any of your friends are approached, it is high time you third about preparing for the knock on the door.

If you don't have to open the door to find out who's there, don't open the door till you know who's there. FBI agents are known to physically jam their feet in the door and badger uncooperative people at the top of their lungs for half an hour. If you've opened the door by mistake, you might want to step outside, locking the door behind you before you refuse to talk.

If you have a portable tape recorder, one might be the best to have at near the entrance to your house or apartment, ready to tape your requests for the FBI to leave you alone and get out of your doorway. If they refuse, you may have a tape that is someday worth something in court.

Also, keep a log or journal of all FBI and police contacts and suspicious activity, especially possible surveillance. Write down as much as you can: names, badge numbers, car license numbers, physical descriptions, questions, times, etc.

If you live in a group, try to figure out collectively what is really paranoia and what is practical precaution.

A final word. The better we can get this spread around the better. Because Patricia Hearst is still a hostage and because the SLA offer this to avoid

WAKE UP AMERICA!

When JFK defeated Nixon in the 1960 elections, sievers began to pop up in the area of the anti-Castro Cuban community in Miami. Having worked closely with Vice-President Nixon on the planning of a Bay of Pigs invasion through Gen Cushman, E. Howard Hunt and other CIA officials, the Cubans had been forced to postpone the action until after the elections because of excitement weather. Now they were dealing with an unknown quantity -- JFK -- rather than Nixon, a man who forged a career out of anti-communism and who Hunt later describes as the Operations Officer for the Eisenhower-sponsored Bay of Pigs.

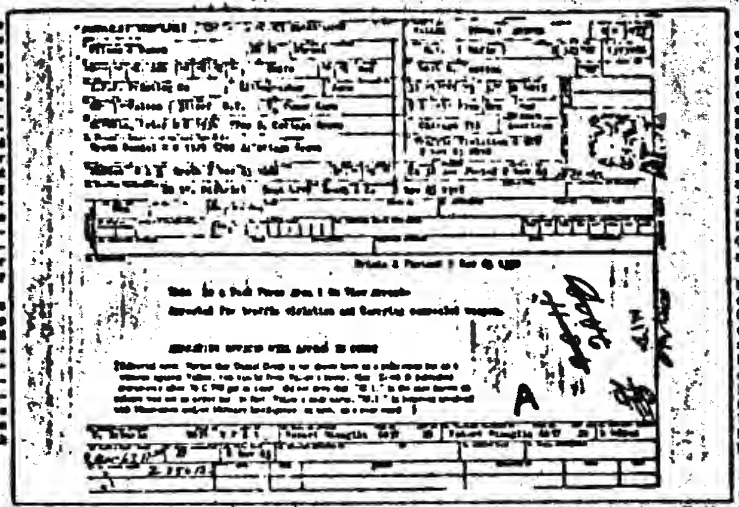
Shortly after the election, plans for the invasion were presented to JFK by Howard Hunt, who still served as a liason between the Executive Branch and the CIA operatives assigned to planning and implementing the action. Their strategy was to have the US Air Force blitz Cuba and then land a battalion of Cuban refugees who'd march through the rubble and murder the Castroites with the help of sympathetic countrymen.

Altho Kennedy was down on direct US military intervention, preferring an Alliance For Progress approach in fighting Communism in Latin America, he was convinced by his military advisors that some action had to be forthcoming because of the's commitment, so he allowed the Cubans to train for the invasion on US soil and supplied them with arms. Things looked good for the anti-Castroites until just before the invasion when Kennedy began to have second thoughts.

Rather than cancelling the action entirely, Kennedy made the greatest mistake of his short lifetime -- he pulled out the air support but allowed the invasion to go on . . . without the Air Force's saturation bombing. The reactionaries were killed or captured minutes after they landed. What a fiasco! Many of the Cubanos must have sworn if they ever got out of Cuba alive, they'd kill Kennedy.

When E. Howard Hunt tried to explain JFK's actions to the Cuban refugees, he loved and respected, they spit on him. Once a symbol of America's anti-Castro commitment, Hunt had to bear the brunt of the Cuban's criticism. He too must have sworn to get JFK.

He'd also failed the acid test of the military-industrial complex by being "soft on Communism." This amalgamation of Masters of War, Pentagon officials, the Intelligence Community and their friends in Congress had grown incredible powerful, thanks to the Korean War and the prolonged Cold War that followed it. They were fanatically anti-Communist China and Eastern Europe warned America, in his farewell address, that they posed the greatest threat to democracy.



The order went down from the Joint Chiefs of Staff that Kennedy Must Die. They knew their program of counter-insurgency in Vietnam was failing and that the Commies were growing stronger day by day. The only way to wipe them out was with American troops and air power ...which Kennedy would never commit. If he wasn't willing to wipe out the Commies 90 miles from America's shores, he certainly wasn't going to go 4,000 miles away and do it.

Although he went along with having advisors there to help Diem's army. The J.C.S. looked at this as another half-assed measure and wanted a Commander-in-Chief willing to wage a full-scale war. They were very much aware of what had happened in China -- 1/3 of the world Communist in one swift revolutionary blow and were determined that the same thing wouldn't happen to the rest of Asia.

The same people who worked on the Bay of Pigs were assigned the job of terminating JFK. They didn't have to worry about being caught because J. Edgar Hoover, the man who'd supervise the investigation of their crime, was a part of the operation. Hoover had been seriously disturbed by JFK, the only Attorney General to ever suggest he resign, and was definitely out for Kennedy blood. During his half-century as Director of the FBI, he'd filled the organization, he'd virtually created, with extreme right-wings, carefully weeding out anyone with the slightest liberal tendencies by internal spying and puritanical regulations. Hoover was in complete control of the agency. After Kennedy was murdered, Hoover called up RFK and Chicago field out to have Vallee coldly announced -- "Your brother is dead."

The young President only bastioned his demise by refusing to go along with Hunt's plan to assassinate Castro (which was eventually carried out, but failed) and by closing down the anti-Castro Cuban's training bases in Louisiana.

Kennedy was to be shot while he attended an Army-Navy football game at Chicago's Soldiers Field. Thomas Arthur Vallee, a military intelligence agent who was a lookalike for a patsy they'd been grooming, named Oswald, was supposed to shoot him with a high-powered rifle, then fly to Texas where he'd suddenly turn into Lee Harvey Oswald. Oswald wouldn't know what had hit him since he was a low level military intelligence operative who thought he was attempting to penetrate Cuba by pretending to be a leader of the Fair Play for Cuba Committee. Kennedy's death would be blamed on pro-Castro elements, giving America an added incentive to send in the Marines....

But JFK got sick and didn't attend the game, so the plan had to be aborted. Unfortunately it wasn't that easy: since the only one who could tell Vallee to stop, couldn't be contacted in time, the Agency sent an operative named Groth (the same guy who led the Dec. '69 'search and destroy' mission into Black Panther Fred Hampton's bed and Chicago field out to have Vallee arrested.

Groth pointed Vallee to a cop just as he was leaving his house and he was arrested for concession of a concealed weapon. But by the time they reached the stationhouse, the fix was in and Vallee was accused of illegal possession of a knife, rather than a rifle.

Attempted assassination being big news, word of the original firearms arrest reached NBC's News Manager Bill Corley, as did the license plate number of Vallee's car. When Corley tried to find out the name the car was registered in, by running a routine check with the Department of Motor Vehicles, he found that the FBI had put a "freeze" on the information. He told all of this to the FBI.

Sherman Skolnick, one of America's greatest researchers, discovered this FBI report along with the original Chicago Police Dept. Arrest Records which I've reproduced on this page. Notice how Vallee's picture is missing.

Another part of the Chicago plot uncovered by Skolnick involved the assassins having access to Secret Service credentials. A black SS agent named Albert Bolden wanted to testify about this part of the conspiracy. Bolden was soon railroaded to prison by none other than State's attorney Ed Hanrahan, another CIA operative in on the murder of Black Panther Fred Hampton.

If at first you don't succeed -- try try again. The next time Vallee would be joined by hired hitman Frank Sturgis, an ex-marine turned out cuting a mercenary who fought with Castro and was put in charge of gambling casinos after the revolution. Sadly, Castro announced there was no room for vice or hired killers in a Marxist society and Franklin got the bounce. He became a leader of Alpha-66, a SUPER-reactionary faction of the Cuban movement and went as far as flying over Havana and dropping anti-Castro leaflets, despite heavy anti-aircraft fire.

Frank, an expert marksman, hurled behind the grassy knoll under the supervision of none other than E. Howard Hunt (who'd become obsessed with his hatred for Kennedy) and fired the fatal shots. Vallee, who'd spent the night in a secluded part of the Book Depository Building, shot at Kennedy from there, catching him in a crossfire. The rifle he used had been stolen from Oswald's garage a few nights before.

In the confusion that followed the shooting, Hunt and Sturgis fled to some nearby boscars, under the watchful eye of a Secret Service agent who was not people and Police away from the grassy knoll, announcing that he had the area covered. One of the team's narcotic men, Jim Hucks, was spotted at the knoll with a radio transmitter and was a witness at Garrison's Clay Shaw Conspiracy Trial. He's now in Federal Mental Hospital.

Vallee ran out of the Book Depository and over to the boscars where the 3 killers rendezvoused. In the aerial view of the Dealy Plaza area, reprinted on this page, you can see how the killers must about halfway between the knoll and the Book Depository. Someone saw Vallee leave the building -- in the section of the Warren Report, titled rumors and speculations, we find that a Mrs. Jean Hill stated that after the firing stopped she saw a white man, wearing a brown overcoat and hat, running away from the book building in the direction of the railroad tracks. The report goes on to say that her testimony wasn't corroborated by films and other witnesses and the Police were unable to come up with the identity of the man.

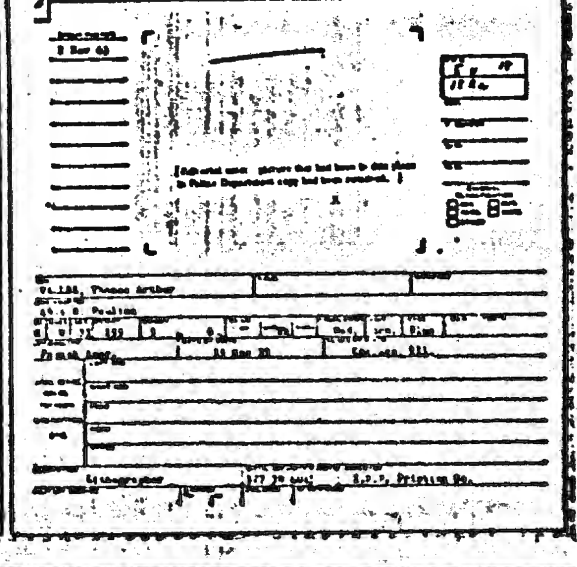
Since the FBI was in on the plot, the CIA-operatives who planned it, decided the best way to get the assassins out of the area would be to have their disguised as bums and have the Police pick them up and escort them them to a nearby Skidrow house. They'd be held there un-

See page 14

from Yipster Times

ROUTE OF THE 'BUMS'





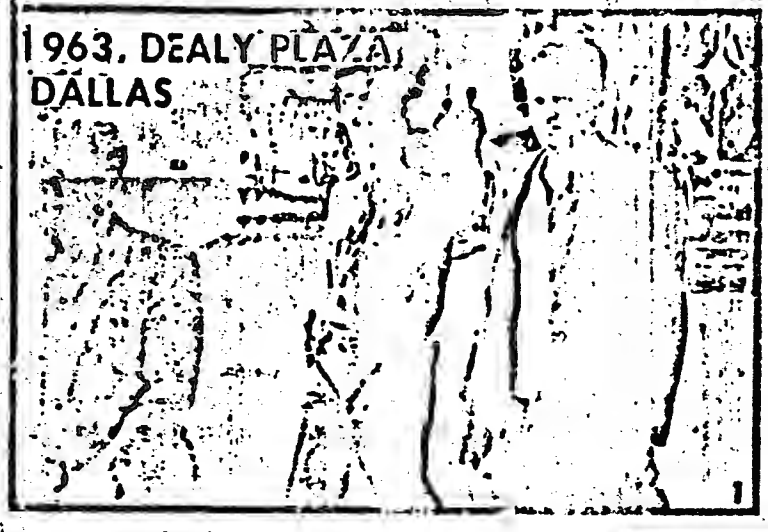
FOR MACHINE SALE ONLY

Barb

VOL. 10 NO. 9 ISSUE 448 MARCH 15-21, 1974
2561 UNIVERSITY AVENUE, BERKELEY, CA 94704

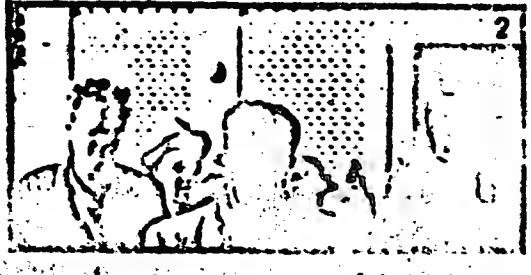
25¢ BAY AREA

DO YOU KNOW THESE BUMS?



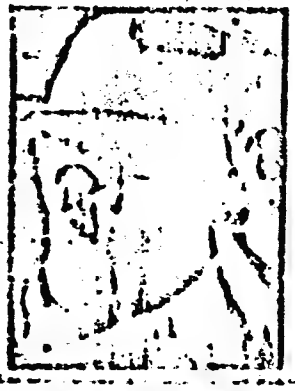


MYSTERY BUMS BUSTED...



... and DISAPPEAR









STURGIS

Victor Sturgis Obergefreiter Infanterie Regiment

FRANK STURGIS

Welcome to STURGIS - Come and Enjoy BERNARD BAKER

A

B

C

12

11

E. HOWARD HUNT

108
ALDA
15
9
JNT
SIGNAL
WATER
QUARRY

RECORDED
9/27/74
djh

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

Laboratory Work Sheet

LAB FILE

Re: ASSASSINATION OF
JOHN FITZGERALD KENNEDY
DALLAS, TEXAS
11/22/63;
OO: Dallas

File # 62-109060 7135
Lab. # D-740927099 HQ

9/24/74

AIRTEL

TO: DIRECTOR, FBI (ATTN: LABORATORY DIVISION)

FROM: SAC, CHICAGO (62-6115)

SUBJECT: ASSASSINATION OF JOHN FITZGERALD KENNEDY
DALLAS, TEXAS
11/22/63
OO: DALLAS

7409 7099

Re Buairtel to Dallas, Chicago, and WFO dated 9/18/74

Enclosed for Bureau is one photo of THOMAS ARTHUR VALLEE, one identification sheet, one criminal history, and one copy of arrest report, all pertaining to VALLEE and obtained from the Chicago PD, Chicago, Illinois.

Item #11, CB 1393986, is the enclosed arrest report. (CB means Central Booking).

Item # 10, RD 323797 is maintained for only a seven year period and is then destroyed. (RD stands for Record of Deposition and is the report handwritten by the arresting police officer).

Case being maintained pending status Chicago in view of possible additional investigation being requested by Bureau or auxiliary offices.

2-Bureau (Encs.4)
2-Dallas (Info)
1-WFO (Info)
2-Chicago

CJW:smm
(7)

Request for comparison enclosed photographs of THOMAS ARTHUR VALLEE with photographs previously submitted in this matter

7-2

RECORDED
9/27/74
dh

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

Laboratory Work Sheet

KELLEY
LAB FILE

Re: ASSASSINATION OF
JOHN FITZGERALD KENNEDY
DALLAS, TEXAS
11/22/63;
OO: Dallas.

File # 62-109060 7135
Lab.# D-740927099 HO

Examination requested by: SAC, Chicago (62-6115) Airtel 9/24/74

Examination requested: DOCUMENT

Date received: 9/27/74

Result of Examination:

Examination by: Shaneyfelt

Ind pers - desc. as resembling Vallee
in Photos of 3 ind. in custody of Police
in Vic of Texas School Book Depo.
— no ident Vallee —

Photo retained.

9/30/74 JS

Request comparison of enclosed photographs of THOMAS ARTHUR VALLEE with photographs previously submitted in this matter.

CE - W.E Nettles Jr. -5718

Laboratory Transmittal Form
7-72

1 - Mr. Shaneyfelt
1 - Mr. Gebhardt
(Att: W. B. Hettles, Jr. Rm. 5713)

FBI
LABORATORY

FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D. C. 20535

To: SAC, Chicago (62-6115)

Date: October 1, 1974

From: Director, FBI

Re: ASSASSINATION OF
JOHN FITZGERALD KENNEDY
DALLAS, TEXAS
11/22/63

FBI File No. 62-109060

Lab. No. D-740927099 HO

CC: Dallas

Examination requested by: Chicago

Reference: Airtel dated 9/24/74

Examination requested: Document

Remarks:

Enclosures (2) (2 Lab report)
2 - Dallas Enclosures (2) (2 Lab report)

MAILED 12
OCT 1 - 1974
FBI

REC-43 62-109060-7135
EX 104

13 OCT 2 1974

RGG:djh
(3) ENCLOSURE

13 OCT 8 1974

ADMINISTRATIVE PAGE

MAIL ROOM ☐ TELETYPE UNIT ☐

7-1b

REPORT
of the
FBI LABORATORY

1 - Mr. Shaneyfelt

FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D. C. 20535

To: SAC, Chicago (62-6115)

Date: October 1, 1974
FBI File No. 62-109060
Lab. No. D-740927099 HO

Re: ASSASSINATION OF
JOHN FITZGERALD KENNEDY
DALLAS, TEXAS
11/22/63;

Request
Received 9/27/74

Request comparison of enclosed photographs of THOMAS ARTHUR VALLEE with photographs previously submitted in this matter

Result of examination:

The photographs of THOMAS ARTHUR VALLEE were compared with the photographs of the three individuals in the custody of the police in the vicinity of the Texas School Book Depository Building immediately following the assassination of Kennedy, and it was determined that the individual described as resembling THOMAS ARTHUR VALLEE is not VALLEE. This conclusion is based on the presence of significant differences in facial contours and physical characteristics.

The photbgraphs of THOMAS ARTHUR VALLEE are retained.

LLS:djh
(7)

GENERAL INVESTIGATIVE DIVISION
October [redacted] 1974

This concerns the current allegations that E. Howard Hunt and Frank Sturgis of Watergate notoriety, and Thomas Arthur Vallee, were arrested in Dallas, Texas, shortly after the assassination of President Kennedy on 11/22/63. All 3 have been determined by the Laboratory to not be the 3 persons shown in photographs of the arrest. After a conference on 10/7/74, with Benjamin Bradlee, Editor of "The Washington Post" regarding the matter, the Director advised that Hunt, Sturgis and Captain Will Fritz, the Dallas, Texas, police officer who was in charge of their investigation of the case, should be interviewed to further lay this matter to rest.

The attached teletype sets forth the results of the interview of Captain Fritz by the Dallas Office. He has no recollection of the 3 individuals in the arrest photographs or of Hunt, Sturgis or Vallee.

The Special Prosecutor's Office has requested that we hold interviews of Hunt and Sturgis in abeyance until after the jury in the Watergate trial in Washington, D. C., is selected and sequestered, which should be within the next week.

JW
WEN:dka

MM/gb

RTS/ONE

REG/JL

62-109060-713C

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

OCT 07 1974

TELETYPE

Assoc. Dir. _____
Dep.-A.D.-Adm. _____
Dep.-A.D.-Inv. _____
Asst. Dir.:
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Legal Coun. _____
Telephone Rm. _____
Director Sec'y _____

MR005 DL PLAIN

5:58 PM NITEL 10-7-74 GEM

TO DIRECTOR (62-109060)

FROM DALLAS (89-43)

ASSASSINATION OF PRESIDENT JOHN FITZGERALD KENNEDY, DALLAS, TEXAS, NOVEMBER 22, 1963; MISCELLANEOUS - INFORMATION CONCERNING, OO: DALLAS.

RE BUREAU TELEPHONE CALL TO DALLAS TODAY AND DALLAS AIRTEL TO BUREAU, SEPTEMBER 30, 1974.

ON OCTOBER 7, 1974, RETIRED DALLAS PD CAPTAIN, WILL FRITZ, NOW RESIDING WHITE PLAZA HOTEL, DALLAS, TEXAS, WAS EXHIBITED COPIES OF PHOTOGRAPHS SHOWING DALLAS POLICE OFFICERS BILL BASS AND MARVIN WISE LEADING THREE MEN FOUND IN A BOXCAR ABOUT ONE MILE FROM TEXAS SCHOOL BOOK DEPOSITORY ON NOVEMBER 22, 1963. HE WAS ALSO SHOWN BLOWN-UP PHOTOGRAPHS OF EACH OF THE THREE UNIDENTIFIED MEN AS WELL AS KNOWN PHOTOGRAPHS OF FRANK STURGIS AND E. HOWARD HUNT.

CAPTAIN FRITZ DOES NOT RECALL HAVING EVER SEEN THE THREE UNIDENTIFIED INDIVIDUALS IN THE ABOVE DESCRIBED PHOTOGRAPHS. HE RELATED THAT MANY PEOPLE WERE TAKEN TO THE DALLAS COUNTY SO-

NR = 518

BR

7136

REC-73 62-109060-

EX-103

BI

6-MI

5 OCT 15 1974

ON NOVEMBER 22, 1963, BY VARIOUS LAW ENFORCEMENT OFFICERS FOR QUESTIONING AND UNDOUBTEDLY MANY OF THEM WERE RELEASED WHEN ELIMINATED FROM ANY IMPLICATION, AND SUCH INDIVIDUALS WERE NEITHER BOOKED, PHOTOGRAPHED, OR FINGERPRINTED. HE ADDED THAT HE FEELS SURE IF E. HOWARD HUNT AND FRANK STURGIS WERE INTERVIEWED ON NOVEMBER 22, 1963, A RECORD WOULD HAVE BEEN MADE OF THEIR INTERVIEWS AND THE DALLAS COUNTY SO, DALLAS PD, OR DALLAS FBI OFFICE WOULD HAVE A RECORD OF SUCH INTERVIEWS. HE STATED THAT IT IS POSSIBLE THE THREE UNIDENTIFIED MEN WERE INTERVIEWED, BUT WITHOUT THEIR NAMES, THERE WOULD BE NO WAY TO DEFINITELY SO STATE.

WHEN VIEWING THE PHOTOGRAPHS OF E. HOWARD HUNT AND FRANK STURGIS, HE STATED HE HAD NO RECOLLECTION OF EVER HAVING SEEN OR TALKED TO EITHER OF THEM AT ANY TIME ON ANY MATTER. THE NAME THOMAS ARTHUR VALLEE WAS NOT FAMILIAR TO CAPTAIN FRITZ.

CAPTAIN FRITZ CONCLUDED BY STATING HE IS IN COMPLETE AGREEMENT WITH THE FINDINGS OF THE WARREN COMMISSION BUT IS CONSTANTLY GETTING TELEPHONE CALLS FROM ALL SECTIONS OF THE COUNTRY WITH RESPECT TO CERTAIN ASPECTS OF THEIR FINDINGS BEING QUESTIONED.

END.

REC 2 DBS FBIHQ CLR

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27
5010-106

UNITED STATES GOVERNMENT

Memorandum

Assoc. Dir. ____
Dep. AD Adm. ____
Dep. AD Inv. ____
Asst. Dir.: ____
Admin. ____
Comp. Syst. ____
Ext. Affairs ____
Files & Com. ____
Gen. Inv. ____
Ident. ____
Inspection ____
Intell. ____
Laboratory ____
Plan. & Eval. ____
Spec. Inv. ____
Training ____
Legal Coun. ____
Telephone Rm. ____
Director Sec'y ____

TO : Mr. Adams

DATE: 10/8/74

FROM : R. E. Gebhardt

1 - Mr. Gebhardt
1 - Mr. Bates
1 - Mr. Nettles
1 - Mr. McDermott
1 - Mr. Wannall
1 - Mr. White
1 - Mr. Long

SUBJECT: ASSASSINATION OF JOHN FITZGERALD KENNEDY, DALLAS, TEXAS, NOVEMBER 22, 1963

On 10/7/74, the Director conferred with Mr. Benjamin C. Bradlee, Editor of "The Washington Post," Assistant Director Robert E. Gebhardt and Supervisor William E. Nettles, Jr., of the General Investigative Division. Mr. Bradlee stated that certain photographs had come to his attention which allegedly showed E. Howard Hunt and Frank Sturgis, of Watergate notoriety, in the custody of Dallas, Texas, police officers shortly after the assassination of President Kennedy.

Mr. Bradlee said that since "The Washington Post" investigation of the Watergate matter was just about over, they were looking for a new inquiry to direct their attentions toward. He said he was considering sending a team of investigative reporters to Dallas to begin an investigation into these photographs but decided to check with the Director beforehand to see if the Bureau was aware of the photographs and had possibly already resolved the matter.

Mr. Bradlee was informed that this matter had come to our attention in August, 1974, through A. J. Weberman and Michael Canfield, who were described as underground newspaper people in New York City. The photographs have been compared by the FBI Laboratory with known photographs of Hunt and Sturgis with a determination being made that Hunt and Sturgis are not the ones in the photographs. Additionally, a third person shown in the photographs in custody had been alleged by Canfield to be Thomas Arthur Vallee of Chicago, Illinois, and he likewise has been eliminated through examination by the FBI Laboratory. Additionally, Mr. Bradlee was advised that it has been confirmed that Vallee was at work in Chicago, Illinois, on the day that President Kennedy was assassinated in Dallas.

REC-84 62-109060-7137

He was also informed that the Dallas police officers in the photographs have previously been identified in relation to other investigations and that all three officers advised then that they took three individuals, names unknown to them, off a

5 OCT 15 1974

WEN:dka (8)

CONTINUED - OVER

UNRECORDED COPY FILED IN

boxcar about a mile from the assassination site about 20 minutes after the shooting. They took them to the Dallas County Sheriff's Office where a screening office had been set up. Numerous people were taken to that office on that day and released without charges or booking after being interviewed. No records have been located pertaining to the arrest of the individuals.

It was also pointed out to Mr. Bradlee that there had been allegations that Lee Harvey Oswald had been in Miami, Florida, prior to the assassination and had been in contact with Sturgis, who was then using the name Frank Fiorini. Extensive investigation, including interview of Sturgis, indicated that there was no substance to this.

A copy of the March 15-21, 1974, edition of the "Berkeley Barb", a California underground newspaper, which contains the photographs in question as well as an article describing the alleged involvement of CIA, Hunt, Sturgis and Vallee in the assassination was given to Mr. Bradlee.

An article from the 5/24/68, edition of the "New York Times" pertaining to the photographs was also mentioned to Mr. Bradlee. In answer to his question, Mr. Bradlee was told that according to information received by us, Canfield had made deals with the German magazine "Stern" and a Washington, D. C., free-lance reporter named Sam Jaffee in regard to selling this story.

Mr. Bradlee then stated he was satisfied that the Bureau was well aware of these allegations and instead of investigating the matter, he planned to run a story to the effect that the FBI had checked into these allegations and found no substance to them.

After the departure of Mr. Bradlee, the Director advised that Captain Will Fritz, who was the Dallas police officer in charge of their investigation of the Kennedy case and who apparently authorized the release of the persons in the photographs, should be interviewed for any knowledge he might have of this matter. The Director also stated that Hunt and Sturgis should be contacted to ascertain their whereabouts on the day of the assassination. The Director pointed out that these interviews should be conducted to carry our determination that Hunt and Sturgis were not the ones in the photographs one step further and hopefully lay these allegations to rest.

ACTION: General Investigative Division is making arrangements for interviews of Fritz, Sturgis and Hunt.

FD-36 (Rev. 5-22-64)

FBI

Date: 9/30/74

Transmit the following in _____ (Type in plaintext or code)

Via AIRTEL _____ (Priority)

TO: DIRECTOR, FBI (62-109060)

FROM: SAC, DALLAS (89-43) (P*)

SUBJECT: ASSASSINATION OF JOHN FITZGERALD KENNEDY, DALLAS, TEXAS 11/22/63

OO: DALLAS

Re Bureau airtels to Dallas, Chicago, and WFO, dated 9/18/74 and 9/25/74.

A review of Dallas files reflects the following information:

In the "MURKIN" case (Memphis origin), the following investigation was conducted by SA BARDWELL D. ODUM, at Dallas, Texas, with reference to Baltimore airtel to Dallas, 5/3/68:

Baltimore furnished Dallas a photograph of a newspaper artist's sketch of MARTIN LUTHER KING's assassin and a photograph of an unsub look-a-like. These photographs were obtained from ROBERT HARPER, City Editor, Frederick Post, and had been given to him by HAROLD WEISBERG, Route 8, Old Receiver Road, Frederick, Maryland.

REC-75 62-109060-7138

EX 104

6 OCT 3 1974

2 - Bureau
1 - Chicago (62-6115) (info)
1 - WFO (89-75) (info)
1 - Dallas
RPG:nrf
(5)

Approved: _____ Sent _____ M Per _____

Special Agent in Charge

GPO : 1974 O - 533-738

According to Baltimore, WEISBERG, in discussing the above photographs, stated that the photograph of the sketch appeared in the newspaper and allegedly represented a composite sketch of the assassin of MARTIN LUTHER KING. He indicated the photograph of the other individual was taken from a group photograph of individuals who were waiting by a police car after the assassination of President JOHN FITZGERALD KENNEDY in Dallas, and was apparently the photograph of a group of persons being taken into custody by the Dallas Police Department for questioning, just after the assassination of President KENNEDY occurred. The group photograph, from which the individual blow-up was taken, was allegedly made by WILLIAM ALLEN, a photographer for one of the Dallas newspapers.

It is noted that HAROLD WEISBERG was the author of the books, "Whitewash" and "Whitewash Number Two", which were critical of the Warren Commission report and of the investigation conducted into the assassination of President KENNEDY.

Dallas airtel to Baltimore, dated 8/21/68 in the "MURKIN" case, set forth the following information:

On 5/14/68, FELIX MCKNIGHT, Co-publisher of "The Dallas Times Herald", advised that it appeared to him that the alleged newspaper artist's sketch appeared to have been made by someone who was looking at the photograph of the unknown look-a-like. He advised that BILL ALLEN is now employed by the API at Little Rock, Arkansas. He produced the negative from which the close-up was taken. It showed the Dallas Police Officer leading three men, followed by another police officer, away from the Texas School Book Depository. This appears to be identical to photographs concerning which the Bureau instructed inquiries be made in referenced Bureau airtels in captioned case.

On 5/15/68, BILL BASS, Identification Division, Dallas Police Department, identified the officer leading these three men, as himself, and stated that on 11/22/63, at which time photograph was taken, he, ROY VAUGHN, and MARVIN WISE had found three men in a boxcar about a mile from the Texas School Book Depository, down the railroad tracks. They brought them to the Dallas County Sheriff's Office and turned them over to an unknown deputy sheriff. He did not know the names of these individuals and did not know if they were booked.

On 5/15/68, Officers MARVIN WISE and ROY VAUGHN, Dallas Police Department, advised they could add nothing to the information furnished by BASS, confirmed what he had furnished, and advised that they did not know the identity of the deputy sheriff or the three men they brought in.

On 5/16/68, JAMES D. KITCHING, Dallas County Sheriff's Office, advised that he is in charge of the Identification Division, and that he had personally looked up the jacket and photograph of each person booked on 11/22/63, and did not find anyone who bears a resemblance to the persons appearing in the photograph with Dallas Police Officer BILL BASS. He advised that this indicates these persons were not booked, but that they may have been interviewed. He advised that a sort of screening office was operated by the Dallas County Sheriff's Office on 11/22/63, and numerous persons were interviewed. He advised that without the names of the persons, it would be almost impossible to develop the names of the persons in the photograph.

On 5/17/68, Sheriff BILL DECKER (now deceased), Dallas County Sheriff's Office, advised that he does not know who the men are in the photograph taken by BILL ALLEN, but that recently this same photograph had been shown to him by someone representing JIM GARRISON, District Attorney, New Orleans, Louisiana. He stated he did not know the significance.

DL 89-43

On 5/17/68, FELIX MC KNIGHT, supra, advised that he had received a telephonic inquiry from the head of Associated Press, New York, New York, apparently inquiring about this same photograph. The Associated Press information had originated from a press release by TRENT GOUGH, a Canadian actor who said he was connected with the Citizen's Committee of Inquiry, and the Kennedy Assassination Inquiry Committee, 243 West 54th Street, New York.

In the Watergate investigation captioned, "JAMES WALTER MC CORD, JR., ET AL; BURGLARY; Democratic National Committee Headquarters, Washington, D.C., 6/17/72; IOC"; Origin WFO, the Bureau and WFO were furnished the following information by Dallas nitel, dated 5/30/73:

"On 5/30/73, Assistant Chief of Police THOMAS A. HUTSON, Dallas Police Department, Dallas, Texas, advised that during the last week of January or the first week of February, 1973, BRUCE HALL, a representative of Columbia Broadcasting System, from Atlanta, Georgia, contacted the Dallas Police Department and showed them two photographs taken during the day of President KENNEDY's assassination in Dallas. The photographs depicted two Dallas police officers walking along the street near the assassination site with two white males. HALL asked that these persons be identified. The policemen are Patrolman MARVIN WISE and BILLY BASS. The identity of the two white males is unknown, although interview of the police officers reveal these were two men, among many others, rounded up immediately after the assassination, who were detained until it could be determined whether they had any connection with the shooting. These two men were taken to the Dallas Sheriff's Office, where they were turned over to that department.

"The Dallas Police Officers recall only that these men were seeping out an empty railroad grain car at the railroad terminal near the assassination

LI

site. HALL indicated that the man on the right in the photographs is FRANK A. STURGIS, without saying anything about his being connected with Watergate. The Dallas Police Department did not realize the connection until recently when BOB SHAW, Dallas Police Department, Press Officer, noticed STURGIS' name in the newspaper. Then on 5/29/73, SHAW received a call from a UPI representative who stated that the rumor was all over Washington that STURGIS had been photographed in Dallas on the day of the assassination.

"A Mr. LEOPOLD, associated with the Senate Committee investigating the Watergate affair, has contacted the Dallas Police Department and asked for any arrest record that they have on STURGIS under his true name and aliases. The Dallas Police Department has no record of any arrest under such names. LEOPOLD is sending fingerprints to Dallas Police Department for checks against their identification records."

Copies of the photographs mentioned in the above quoted nitel were obtained from the Dallas Police Department and were furnished to the Bureau and WFO by Dallas airtel to the Bureau and WFO, dated 5/31/73, in the Watergate case.

A report of SA LEO E. PEDROTTY, dated 12/2/63, at Chicago, Illinois, in the case captioned, "LEE HARVEY OSWALD; IS-R" on page 12, reflects interview of MAURICE G. MARTINEAU, supervising Agent, Secret Service Division, Chicago, Illinois, on 11/26/63, wherein he stated that his office had verified on the day of President KENNEDY's assassination through a source, that THOMAS VALLEE was employed at his place of business during the entire day. He added that VALLEE was employed as a photolithographer at IPP Printing Company, 625 West Jackson, Chicago, Illinois.

There are a considerable number of references to THOMAS ARTHUR VALLEE in the assassination and LEE HARVEY OSWALD investigations containing background information concerning him.

Report of SA JAMES J. O'CONNOR, dated 1/25/64, at Miami, captioned, "LEE HARVEY OSWALD, aka; IS - R", contains considerable information concerning one FRANK FIORINI, believed identical to FRANK ANTHONY STURGIS, including an interview with FIORINI on 1/14/64, at Miami, Florida, reflected on page 15 of SA O'CONNOR's report of 1/25/74.

Other reports of SA JAMES J. O'CONNOR, dated 4/4/64 and 5/11/64, in the OSWALD captioned case, make mention of FIORINI.

Dallas files fail to reflect any references to E. HOWARD HUNT in the assassination or OSWALD's investigations.

It appears possible that E. HOWARD HUNT and FRANK ANTHONY STURGIS were eliminated as being identical to the unidentified individuals in the photographs with the Dallas police officers taken 11/22/63, during the Watergate investigation. If not, it would appear that the Miami Office would be able to establish STURGIS' whereabouts on 11/22/63 outside of Dallas.

It should be noted that the information set forth above places THOMAS ARTHUR VALLEE at work in Chicago, Illinois, on 11/22/63, when the photographs of the unidentified individuals with the Dallas police officers were reportedly taken.

The above would indicate that all logical investigation has already been conducted in the "MURKIN" case and the Watergate case to identify the three unknown persons with the Dallas police officers, none of which, investigation has indicated, were fingerprinted.

UACB, no further action being taken by Dallas.

FD-36 (Rev. 5-22-64)

FBI

Date: 10/1/74

Transmit the following in _____ (Type in plaintext or code)

Via AIRTEL _____ (Priority)

TO : DIRECTOR, FBI (62-109060)

FROM : SAC, CHICAGO (62-6115) (P)

SUBJECT: ASSASSINATION OF
JOHN FITZGERALD KENNEDY
DALLAS, TEXAS
11/22/63

(OO: DALLAS)

Re Bureau airtel to Dallas, Chicago and WFO, 9/25/74.

The Bureau's attention is directed to Chicago report of SA LEO E. PEDROTTY, dated 12/2/63, entitled "LEE HARVEY OSWALD, IS-R, OO: DALLAS, CG 62-6115." On 11/26/63, MAURICE G. MARTINEAU, Supervising Agent, Secret Service Division, Chicago, was interviewed and he advised that his office had verified on the day of President KENNEDY's assassination (11/22/63), through source, that THOMAS ARTHUR VALLEE was employed at his place of business during the entire day. He added that VALLEE was employed as a photo lithographer at IPP Printing Company, 625 West Jackson, Chicago, Illinois. In fact, it was ascertained that VALLEE at that time and prior thereto was working both days and nights rather diligently.

Re article which appeared in the 3/15-21/74, edition of "Berkeley Barb", it is noted that in the same FD-302 on the interview of MARTINEAU it is recorded that about three days prior to 11/2/63, the Secret Service Office, Chicago, received information that THOMAS VALLEE, 4614 North Paulina, Chicago, was in possession of large amount of rifle ammunition, along with a collection of guns. In view of the fact that President KENNEDY was due into Chicago for the Army-Air Force Game to be held at Soldiers Field, Chicago, 11/2/63, Secret Service Agents

2 - Bureau
1 - Dallas (INFO)
1 - WFO (INFO)
2 - Chicago

62-109060-7139

NO OCT 3 1974

EX 104 REC-75

CJW/MAM
(6)

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

7 OCT 18 1974

U.S.Government Printing Office: 1972 — 455-574

conducted a pretext interview of VALLEE on 10/30/63, and noted that he had two M-1 Rifles in his possession, along with .22 Caliber revolver and an estimated 1,000 rounds in miscellaneous ammunition.

Secret Service notified officers of the Chicago PD after the pretext interview and a 24 hour surveillance was placed on VALLEE and his activities by the Chicago PD. On 11/2/63, officers arrested VALLEE on technical traffic violation and found in his possession a knife and the officers charged him with an "assault with a deadly weapon" charge. Also found in the trunk of his vehicle were 300 rounds of ammunition. They subsequently searched his home, 4614 North Paulina, and found additional ammunition.

This appears to be in opposition to the statement in the article that "The fix was in and Vallee was accused of illegal possession of a knife rather than a rifle".

The article also says "notice how Vallee's picture is missing" (from the Chicago PD Arrest Records) and the reproduced Chicago PD Identification Sheet has an editorial note that the picture that had been in this place and PD copy had been removed. The Chicago PD does not place a picture on the Identification Sheet and the picture taken on 11/2/63, was obtained from the PD file and copies were sent to the Bureau on 9/24/74.

In view of the above, no further investigation is being conducted by the Chicago Division re VALLEE at this time UACB.

AP FERRELL
SAAPC

10/18/74

GENERAL INVESTIGATIVE DIVISION

This concerns the current allegations that E. Howard Hunt and Frank Sturgis of Watergate notoriety, and Thomas Arthur Vallee, were arrested in Dallas, Texas, shortly after the assassination of President Kennedy on 11/22/63. All 3 have been determined by the Laboratory to not be the 3 persons shown in photographs of the arrest. After a conference on 10/7/74, with Benjamin Bradlee, Editor of "The Washington Post" regarding the matter, the Director advised that Hunt, Sturgis and Captain Will Fritz, the Dallas, Texas, police officer who was in charge of their investigation of the case, should be interviewed to further lay this matter to rest. Captain Fritz interviewed 10/9/74, and had no recollection of the individuals in the arrest photographs or of Hunt, Sturgis or Vallee.

Attached from Baltimore Office advises of results of interview with E. Howard Hunt which, in essence, indicates Hunt in the Washington, D.C., area at the time Kennedy assassinated. Hunt denies he was involved in any way with the Kennedy assassination and in this regard has filed a libel suit against the "National Tattler" claiming he was libeled in an article by this paper 3/31/74, which stated Hunt was at Dallas, Texas, 11/22/63. Additional investigation being held in abeyance pending check with Central Intelligence Agency to determine if Hunt on leave during pertinent period.

JBL:pdh/cjl

62-109060-7140

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

OCT 17 1974

TELETYPE

NR 016 BA PLAIN

1006 PM NITEL 10-17-74 TJH

TO DIRECTOR 62-109060

FROM BALTIMORE 89-30 3P

Dep-A.D.-Inv.
Asst. Dir.:
Admin.
Comp. Syst.
Ext. Affairs
Files & Com.
Gen. Inv.
Ident.
Inspection
Intell.
Laboratory
Plan. & Eval.
Spec. Inv.
Training
Legal Coun.
Telephone Rm.
Director Sec'y

ASSASSINATION OF PRESIDENT JOHN F. KENNEDY, DALLAS, TEXAS, NOVEMBER 22, 1963, MISCELLANEOUS INFORMATION CONCERNING.

REBUTELCALL TO BA INSTANT DATE INSTRUCTING THAT E. HOWARD HUNT BE INTERVIEWED REGARDING HIS WHEREABOUTS AT THE TIME OF THE ASSASINATION OF PRESIDENT KENNEDY.

HUNT HAS BEEN INTERVIEWED. HE RECALLS HEARING ABOUT THE KENNEDY ASSASINATION ON HIS CAR RADIO IMMEADIATELY FOLLOWING LEAVING A CHINESE GROCERY STORE IN THE AREA OF 9TH AND H STREETS, NW, WASHINGTON, D.C., WITH HIS WIFE DOROTHY (DECEASED). HUNT HAD SPENT TIME IN CHINA DURING WORLD WAR II AND HIS WIFE HAD LIVED THERE FOR SOME PERIOD OF TIME WITH HER FIRST HUSBAND. WITH THIS BACKGROUND, BOTH LOVED CHINESE FOOD AND MRS. HUNT WAS AN EXCELLENT COOK OF CHINESE MEALS.

HUNT RESIDED AT THAT TIME AT 5125 BALTAN ROAD, SUMNER, MARYLAND AND FREQUENTLY DROVE WITH HIS WIFE TO THE CHINESE GROCERY STORES IN THE 9TH AND H STREET AREA FOR GROVCERIES. HUNT EXPRESSED BELIEF HE

END PAGE ONE

62-109060-7140

REC-28

OCT 21 1974

TK 104

MUST HAVE BEEN ON ANNUAL LEAVE FROM WORK AT CIA NOVEMBER 22, 1963 OR ELSE HE WOULD NOT HAVE BEEN ON THIS SHOPPING TRIP WITH HIS WIFE. HE RECALLS HEARING THE KENNEDY ASSASINATION NEWS IN THE EARLY OR MID AFTERNOON AND BELIEVES HE HAD LUNCH AT HOME WITH HIS WIFE. HUNT CAN RECALL NO OTHER EVENTS OF NOVEMBER 22, 1963 EXCEPT THIS TRIP, AND THE FACT THAT HE PICKED UP HIS DAUGHTER KEVAN AT SIDWELL FRIENDS SCHOOL, WISCONSIN AVE, NW, WDC, ON THE WAY HOME FROM WASHINGTON.

HUNT BELIEVES HE REMAINED HOME FOLLOWING ARRIVAL FROM THE GROCERY TRIP UNTIL TIME OF THE KENNEDY FUNERAL WATCHING TELEVISION WITH HIS FAMILY. HE CAN RECALL NO CONVERSATION WITH FELLOW EMPLOYEES, FRIENDS OR NEIGHBORS, EXCEPT POSSIBLY ONE NEIGHBOR, RAYMOND S. THOMAS. THOMAS NOW LIVES AT 1281 NE 8TH STREET, POMPANO BEACH, FLORIDA.

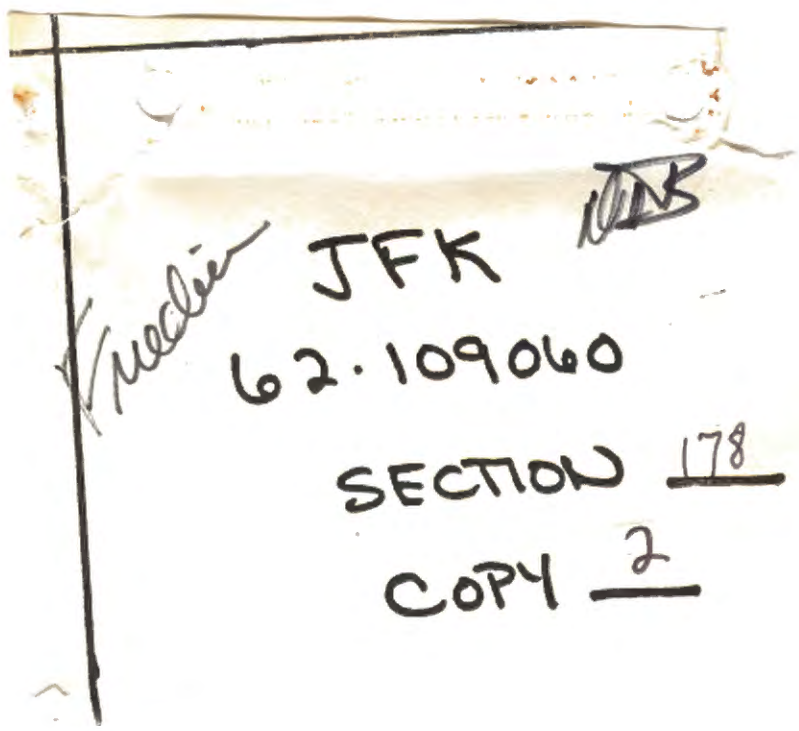
ANY RECORDS OF HUNT'S RELATING TO NOVEMBER 22, 1963, WERE DESTROYED SEVERAL YEARS AGO. HUNT BELIEVES CIA RECORDS WILL REFLECT WHETHER OR NOT HE WAS ON ANNUAL LEAVE NOVEMBER 22, 1963 AND WHETHER OR NOT HE WAS AT WORK NOVEMBER 21 AND THE NEXT WORK DAY FOLLOWING NOVEMBER 22.

END PAGE TWO

HUNT STATES HE WAS NOT INVOLVED IN ANY WAY, SHAPE OR FORM WITH THE KENNEDY ASSASINATION AND IN THIS REGARD HAS FILED A LIBEL SUIT AGAINST THE "NATIONAL TATTLER" CLAIMING HE WAS LIBELED IN AN ARTICLE BY THIS PAPER MARCH 31, 1974 STATING HUNT WAS AT DALLAS TEXAS NOVEMBER 22, 1963.

LEADS TO INTERVIEW RAYMOND S. THOMAS AT POMPANO BEACH, FLA., AND REVIEW OF HUNT'S LEAVE RECORD AT CIA BEING LEFT TO DISCRETION OF BUREAU.

END


JFK
62-109060
SECTION 178
COPY 2

FBI

Date: 10/[illegible]74

Transmit the following in _____ (Type in plaintext or code)

Via AIRTEL _____ (Priority)

TO: DIRECTOR, FBI (62-109060)

FROM: SAC, BALTIMORE (89-30) (RUC)

SUBJECT: ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY,
DALLAS, TEXAS, 11/22/63
MISCELLANEOUS - INFORMATION
CONCERNING

Re Baltimore teletype to Bureau, 10/17/74.

Enclosed for the Dallas Office is one copy of above referenced teletype which was inadvertently not directed to Dallas.

REC-26 [illegible] 7141

ST 104

6 OCT 21 1974

2 - Bureau
2 - Dallas (Enc. 1)
1 - Baltimore
GNS/lrw
(5)

Approved: _____ Sent _____ M Per _____

40CT [illegible] 1974 in Charge

U.S. Government Printing Office: 1972 — 455-574

THIS SERIAL HAS BEEN REFERRED TO ANOTHER AGENCY AND IS IN A PENDING STATUS:

FILE NO. 62-109060

SERIAL NO. 742

PAGE NO.

NO. OF PAGES 1

SECTION NO.

178

CIA

REFERRAL

UNITED STATES GOVERNMENT

DEPARTMENT

Memorandum

TO: Director,
Federal Bureau of Investigation

DATE: November

HEP:P

FROM: Henry E. Petersen
Assistant Attorney General
Criminal Division

SUBJECT: Letter from Mr. Ray M. Baker, Post Office Box 821, San Juan Capistrano, California

Dep. AD Inv. ___
Asst. Dir.:
Admin. ___
Comp. Syst. ___
Ext. Affairs ___
Files & Com. ___
Gen. Inv. ___
Ident. ___
Inspection ___
Intell. ___
Laboratory ___
Legal Coun. ___
Plan. & Eval. ___
Spec. Inv. ___
Training ___
Telephone Rm. ___
Director Sec'y ___

Attached for your information and whatever action you deem appropriate is a copy of a letter from Mr. Ray M. Baker containing information relating to the assassination of former President John F. Kennedy.

RECD 7143

15 NOV 12 1974

File

62-109060

Attachment

ENCL

NOV 30 1974

DOJ—1973—04

Oct. 29, 1974

PHIL T. WHITE, STAFF ASST.
JUSTICE DEPARTMENT, CRIMINAL DIV.
WASHINGTON, D.C. 20006

P.O. BOX 321
San Juan Capistrano, Cal

34583 CALLE PALOMA
CAPISTRANO BEACH, CAL

Dear Mr. White —

It was nice to be in touch with you once again. As to the old problem I will save that information until I return to Washington next February.

My wife and I had been trying to contact Miss Elizabeth Cole of New Jersey for several years as her knowledge of important John Kennedy assassination information had been divulged to me by her mother, Mrs. Alexander Cole 1175 Park Avenue, New York City. We all did meet at this address about two months ago and here is the story freely given with the understanding that I could use the information in any manner I decide.

62-109060-7143

ENCLOSURE

Miss Cole was educated in France and later enrolled at Hunter in New York. Some two weeks prior to Nov. 22, 1963 she attended a speech seminar at Rutgers U. in New Jersey representing France, wearing a "French" name tag. On a Saturday Evening she desired to use the pay phone in the Hall to phone her parents in New York to give a progress report and stood behind a Cuban Spanish student who was using the phone. As she waited she heard him describe in detail the plan to assassinate John Kennedy in Dallas from a 5th story rear there a perfect "Patsy" set up which could not be traced. The young man did not know that Miss Cole could understand Spanish also and thus spoke freely. She noted his name card and the following Monday phoned the FBI in New York City and related the story, giving her name, address, education, parents

(3)

names, address and background. She gave them her phone number and assumed that the FBI would check out the story — but to this day she and her parents have had no contact or word.

Mrs. Cole stated that a young Cuban was picked up in Dallas that November 22 and released as having nothing to do with the act and that he had the same name as noted by her daughter.

Mrs Cole is a Ph D in geology and for a hobby raises Blue Dane dogs. Although a Catholic, she has no love for any of the Kennedy family. She and her parents are honest and seek no financial gain or public recognition. I could find no reason to doubt the story related to me.

Sincerely yours

Ray M. Baker

THE UNIVERSITY OF KANSAS MEDICAL CENTER
COLLEGE OF HEALTH SCIENCES AND HOSPITAL
RAINBOW BOULEVARD AT 39TH • KANSAS CITY, KANSAS 66103

SCHOOL OF MEDICINE
SCHOOL OF NURSING
SCHOOL OF ALLIED HEALTH
UNIVERSITY HOSPITAL

SCHOOL OF MEDICINE
DEPARTMENT OF PATHOLOGY AND ONCOLOGY
(913) 831-7070

October 23, 1974

Clarence M. Kelley, Esq., Director
Federal Bureau of Investigation
Washington, D. C. 20535

Re: Artifacts from re-enactment of Assassination of President Kennedy.

Dear Mr. Kelley:

As you may know a few hundred rounds of "authentic" ammunition were fired through Mr. Oswald's rifle during the various studies following the assassination.

I am writing to ask if any of these empty cartridge cases remain available and which I could examine, apart from exhibits C E 557 (a & b) now in the archives.

Sincerely,

John Nichols, M. D.
Associate Professor
of Pathology

EX 110 62-109090-7143X
94
CORRESPONDENCE

REC-74 62-109060-7143X

November 6, 1974

LX-119

Dr. John Nichols
Associate Professor of Pathology
Department of Pathology and Oncology
School of Medicine
University of Kansas Medical Center
Rainbow Boulevard at 39th
Kansas City, Kansas 66103

Dear Dr. Nichols:

This is to acknowledge receipt of your communication dated October 23rd.

With respect to your inquiry as to the availability of empty cartridge cases from ammunition fired from the rifle of Lee Harvey Oswald, please be advised that this material is not available in the FBI Laboratory.

Sincerely yours,

C. M. Kelley

Clarence M. Kelley
Director

MAILED 4
NOV 6 1974
FBI

1 - Kansas City - Enclosure

NOTE: Correspondent requests that empty cartridge cases fired from the rifle used by Lee Harvey Oswald during test examinations be turned over to him for further examination. We have had substantial correspondence with Dr. Nichols concerning the assassination of President Kennedy and our dealings with him have been circumspect. It is understood that Dr. Nichols is preparing a book regarding the assassination and has filed an unsuccessful suit against the United States and the Archivist in which he sought certain FBI Laboratory data dealing with the assassination. He previously wrote to the Bureau on 11-24-73 requesting certain evidentiary material be photographed by the Laboratory in order that he might use it in connection with his independent study.

PH:nlm (4)

Assoc. Dir. ____
Dep. AD Adm. ____
Dep. AD Inv. ____
Asst. Dir.:
Admin. ____
Comp. Syst. ____
Ext. Affairs ____
Files & Com. ____
Gen. Inv. ____
Ident. ____
Inspection ____
Intell. ____
Laboratory ____
Plan. & Eval. ____
Spec. Inv. ____
Training ____
Legal Coun. ____
Telephone Rm. ____
Director Sec'y ____

FEB 14 1975
JAN 23 1975

MAIL ROOM ☐ TELETYPE UNIT ☐

GPO 954-546

REC-1

October 30, 1974

1 - Mr. White - Enc.
Atten: Mr. Frazier
Mr. Mintz

~~62-109060-353~~ 62-109060-7143 X1

Mr. G. Norman Albree
Box 181
Winchester, Massachusetts 01890

Dear Mr. Albree,

This is in response to your letter of October 18th. I wish to advise you the subject matter of your inquiry was covered by testimony and laboratory reports furnished by the FBI to the Warren Commission. This material was subsequently released by the Warren Commission to the National Archives, and it is suggested you contact this source for the information you requested.

Sincerely yours,

C. M. Kelley

Clarence M. Kelley
Director

MAILED 6
OCT 30 1974
FBI

1 - The Deputy Attorney General - Enclosure
1 - Bufile 62-115530 (JFK-RELILS)

NOTE: Correspondent communicated with us frequently during the 1960's regarding his suspicions concerning the Kennedy assassination. Last letter to him in 1966 directed him to the Archives in connection with a similar type request.

TLB:ms (8)

Assoc. Dir. ____
Dep. AD Adm. ____
Dep. AD Inv. ____
Asst. Dirs.
Admin. ____
Comp. Syst. ____
Ext. Affairs ____
Files & Com. ____
Gen. Inv. ____
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Inspection ____
Intell. ____
Laboratory ____
Plan. & Eval. ____
Spec. Inv. ____
Training ____
Legal Coun. ____
Telephone Rm. ____
Director Sec'y ____

MAY 27 1975

MAIL ROOM ☐ TELETYPE UNIT ☐

G. NORMAN ALBREE
BOX 181
WINCHESTER, MASS. 01890

18 October 1974.

Honorable Clarence . Kelley,
9th Street and Pennsylvania Avenue,
Washington, D.C. 20535

Dear Mr. Kelley:

Is there to be found in the Warren Commission Report - or elsewhere - anything to indicate that the alleged three shots fired on 22 November 1963 were other than 6.5 m/m Mannlicher-Carcano (or, perhaps, better known as Mannlicher-Schoenauer) 161 grain full metal jacketed bullet? Olin Mathieson Chemical Corporation informed me in 1965 that these rounds might well have been one of those manufactured by them under contract to our Government for one of our Allies.

If, indeed, these were the three bullets fired, the total weight was 483 grains of which weight less than fifty per cent has, so far as I am aware, been accounted for in any way. It is possible you furnish more information in this connection. A categorical reply will be greatly appreciated.

REC-1

Sincerely,

G Norman Albree

62-109060-7143

OCT 21 1974

Memorandum

TO : DIRECTOR, FBI (62-109060) DATE: 11/6/74

FROM : SAC, LOS ANGELES (89-75)

SUBJECT: ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY
11/22/63, DALLAS TEXAS
MISCELLANEOUS - INFORMATION CONCERNING
OO: Dallas

Enclosed for the information of the Bureau are two copies of a photostat of a self-explanatory letter dated 10/29/74 written to PHIL T. WHITE, Staff Assistant, Justice Department, Criminal Division, Washington, D.C. by Mr. RAYMOND M. BAKER, former Indiana State Senator (1959-1961). One copy of the letter is being enclosed for each below-listed Office, for information.

On 10/30/74 Mr. BAKER, who is currently residing at 34583 Calle Paloma, Capistrano Beach, California, personally appeared at the Santa Ana, California, Resident Agency of the FBI and made available the above enclosure. Mr. BAKER advised that he has been in contact with various Justice Department officials since 1959 regarding knowledge which had come to his attention regarding organized crime in the insurance and other fields, while serving in the Indiana State Legislature. He said that he is particularly interested that history record the complete and true facts surrounding the assassination of President KENNEDY. He said that he has no reason not to believe the story of Miss ELIZABETH COLE as set forth in the enclosed letter.

Mr. BAKER also brought to the Resident Agency numerous newspaper clippings from the Indianapolis, Indiana Star as well as the Hammond (Indiana) Times newspapers, all dated during 1959 and 1960, dealing with Senate Racket Committee hearings on Organized Crime as relating to the link between certain Lake County, Indiana, public officials and Chicago mobsters.

ENCLOSURE 62-109060-7144

(2) Bureau (Encl.-2)
1- Dallas (Encl.-1)
1- Indianapolis (Encl.-1)(Info)
1- New York (Encl.-1)(Info)
1- Los Angeles
JFB/njs
(6)

15 NOV 14 1974

NOV 20 1974

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

Mr. BAKER said that, while a member of the Indiana State Senate, he was active in investigating mobster influence and activity in the insurance field. He said that from 1950 to 1958 he was a General Agent of an insurance firm, Guaranty Reserve of Hammond, and later learned that this firm made extensive loans to finance the building of the Tropicana Hotel in Las Vegas, Nevada, and as a result did not have the funds to pay insured's claims.

Mr. BAKER added that he is now affiliated as a sales representative of the 99 Company, a stamp and coin business founded by his son.

BAKER stated he desired to make available the enclosed letter as a matter of record.

Los Angeles indices contain no pertinent information identifiable with BAKER.

Oct. 29, 1974

P.O. BOX 321
San Juan Capistrano, Cal

34583 CALLE PALOMA
CAPISTRANO BEACH, CAL

PHIL T. WHITE, STAFF ASST.
JUSTICE DEPT, CRIMINAL DIV
WASHINGTON, D.C. 20006

Dear Mr. White —

It was nice to be in touch with you once again. As to the old problem I will save that information until I return to Washington next February:

My wife and I had been trying to contact Miss Elizabeth Cole of New Jersey for several years as her knowledge of important John Kennedy assassination information had been disclosed to me by her mother, Mrs. Alexander Cole 1175 Park Avenue, New York City. We all did meet at this address about two months ago and here is the story freely given with the understanding that I could use the information in any manner I decide.

65-107061-7144

ENCLOSURE

Miss Cole was educated in France and later enrolled at Hunter in New York. Some two weeks prior to Nov. 22, 1963 she attended a speech seminar at Rutgers U. in New Jersey representing France, wearing a "French" costume. On a Saturday Evening she desired to use the pay phone in the Hall to phone her parents in New York to give a progress report and stood behind a Cuban Spanish student who was using the phone. As she waited she heard him describe in detail the plan to assassinate John Kennedy in Dallas from a 5th story rest there a perfect "Patsy" set up which could not be traced. The young man did not know that Miss Cole could understand Spanish also and thus spoke freely. She noted his name card and the following Monday phoned the FBI in New York City and related the story, giving her name, address, education, parents

names, address and background. She gave them her phone number and assumed that the FBI would check out the story — but to this day she and her parents have had no contact or word.

Mrs. Cole stated that a young Cuban was picked up in Dallas that November 22 and released as having nothing to do with the act and that he had the same name as noted by her daughter.

Mrs Cole is a Ph D in geology and for a hobby raises Blue Bonnet dogs. Although a Catholic, she has no love for any of the Kennedy family. She and her parents are honest and seek no financial gain or public recognition. I could find no reason to doubt the story related to me.

Sincerely yours

Ray M. Barker

Oct 29, 1974

PHIL T. WHITE, STAFF ASST.
JUSTICE DEPARTMENT, CRIMINAL DIV.
WASHINGTON, D.C. 20006

P.O. BOX 321
San Juan Capistrano, Ca

34583 CALLE PALOMA
CAPISTRANO BEACH, CAL

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1/1/13

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names, address and background. She gave them her phone number and assumed that the FBI would check out the story — but to this day she and her parents have had no contact or word.

Mrs. Cole stated that a young Cuban was picked up in Dallas that November 22 and all released as having nothing to do with the act and that he had the same name as noted by her daughter.

Miss Cole is a Ph D in geology and for a hobby raises Blue Dane dogs. Although a Catholic, she has no love for any of the Kennedy family. She and her parents are lovers and seek no financial gain or public recognition. I would find no reason to doubt the story related to me.

Sincerely yours

Ray M. Baker

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Gebhardt

DATE: 11/6/74

FROM : R. F. Bates

1 - Mr. Gebhardt
1 - Mr. Bates
1 - Mr. Nettles
1 - Mr. McDermott
1 - Mr. Wannall
1 - Mr. White
1 - Mr. Long

SUBJECT: ASSASSINATION OF JOHN FITZGERALD KENNEDY, DALLAS, TEXAS, NOVEMBER 22, 1963

This concerns allegations from several sources that E. Howard Hunt and Frank Sturgis, Watergate figures, and Thomas Arthur Vallee of Chicago, Illinois, were arrested near the Texas School Book Depository in Dallas, Texas, shortly after the assassination of President Kennedy on 11/22/63. Photographs of the arrest have been compared by the Laboratory Division with known photographs of these three individuals with a determination being made that the persons in the photographs are not Hunt, Sturgis and Vallee.

Additionally, U. S. Secret Service had confirmed in 1963, that Vallee was at work in Chicago on the day of the assassination.

After meeting on 10/7/74, with Benjamin C. Bradlee, Editor of "The Washington Post," the Director advised that Captain Will Fritz, the Dallas, Texas, police officer who was in charge of that department's investigation of the assassination, should be interviewed for any knowledge he might have of this matter. He also advised that Hunt and Sturgis should be interviewed to determine their whereabouts on 11/22/63.

On 10/7/74, Agents of the Dallas Office interviewed Captain Fritz, who is now retired. He had no recollection of the persons in the photographs. He said numerous persons were brought in for questioning on the day of the assassination and then released when they were eliminated from any implication.

REC-48 62-116060-7145

WEN:dka
(8)

5 NOV 15 1974

CONTINUED - OVER

At the request of the Special Prosecutor's Office, interviews of Hunt and Sturgis were held in abeyance until after the Watergate jury was sequestered.

Hunt was interviewed by Agents of the Baltimore Office on 10/17/74. He recalled originally hearing of the assassination on his car radio while in Washington, D. C., with his wife (now deceased). He said he must have been on leave from work at Central Intelligence Agency at the time. He could recall no conversations on that date with anyone with the possible exception of a neighbor who now lives in Florida. Hunt further advised that he has filed a libel suit against the "National Tattler" newspaper regarding an article of 3/31/74, which stated he was in Dallas, Texas, on 11/22/63.

By memorandum of 10/29/74, the Central Intelligence Agency advised that Hunt conducted no official travel during November, 1963. During the four-week pay period ending 11/23/63, he took 11 hours sick leave and no annual leave. Specific dates of the leave could not be determined since Time and Attendance Records are destroyed after three years in accordance with established procedures. The only records maintained after three years are total number of hours taken during particular pay periods.

On 10/17/74, ASAC Frederick F. Fox of the Miami Office was contacted regarding interviewing Sturgis. He suggested that an interview of Sturgis might be inadvisable for the following reasons: (1) Sturgis is a known source of columnist Jack Anderson, (2) Sturgis may claim harassment if interviewed, and (3) Sturgis, who is on bond in the Watergate case, might try to use any involvement with the FBI to attempt to mitigate his sentence.

ACTION:

It is recommended that no further investigation be conducted in this matter for the following reasons: (1) The Laboratory Division is of the opinion that Vallee, Hunt and Sturgis are not the ones in the arrest photographs, (2) It has been confirmed that Vallee was in Chicago, Illinois, on 11/22/63, (3) Central Intelligence Agency records appear to support Hunt's contention that he was in Washington, D. C., on that date, and (4) Any investigation or interview of Sturgis would appear to be inadvisable.

UNITED STATES GOVERNMENT

Memorandum

TO : Clarence M. Kelley
Director,
Federal Bureau of Investigation

DATE: Nov. 7, 1974

FROM : Susan M. Hauser
Staff Assistant to the
Deputy Attorney General

SUBJECT: FREEDOM OF INFORMATION ACT REQUESTS

Attached is a letter referred to the Department by Senator J. Bennett Johnston concerning requests under the Freedom of Information Act relating to the Kennedy assassination.

Please take appropriate action and direct a copy of your response to my office.

EX-117

REC-25 62-116[illegible]-7146

NOV 12 1974

11-15-74

3 ENCL

1 - LEGAL COUNSEL

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

Clarence M. Kelley
Director,
Federal Bureau of Investigation

Nov. 7, 1974

Susan M. Hauser
Staff Assistant to the
Deputy Attorney General

FREEDOM OF INFORMATION ACT REQUESTS

Attached is a letter referred to the Department by Senator J. Bennett Johnston concerning requests under the Freedom of Information Act relating to the Kennedy assassination.

Please take appropriate action and direct a copy of your response to my office.

JAMES ABOUREZK, S. DAK.
FLOYD K. HASKELL, COLO.
GAYLORD A. NELSON, WIS.
HOWARD M. METZENBAUM, OHIO
JERRY T. VERKLER, STAFF DIRECTOR
JAMES A. MC CLURE
DEWEY F. BARTLETT

United States Senate

COMMITTEE ON
INTERIOR AND INSULAR AFFAIRS
WASHINGTON, D.C. 20510

October 23, 1974

Mrs. Edward T. Miazza
79 Glenwood Avenue
New Orleans, Louisiana 70123

Dear Mrs. Miazza:

Thank you very much for your letter with regard to re-opening the files on President Kennedy's assassination. In an effort to be of assistance to you in obtaining the information you requested, I have contacted the appropriate officials at the Department of Justice and have requested a full report in this regard. As soon as I receive their response, I will be back in touch with you.

I do, indeed, know your husband's sister, and I want to thank you for your thoughtful words expressing your family's support for me. I hope I will continue to merit your trust and confidence.

With kindest regards, I am,

Sincerely,

J. Bennett Johnston
United States Senator

JBJ:jll

11-15-97

ENCLOSURE 62-109[illegible]-1116

Dear Senator Johnston,

Pursuant to our conversation on Oct. 18th, will you please advise me how to use the Freedom of Information Act to re-open files on John Kennedy's assassination.

I understand suits have been filed in D.C. - but to no avail. Why?

My husband's sister, Mrs. Felix [illegible], 734 Hatton Blvd. in Shreveport, is one of your constituents also and, too, deserves your attention.

Awaiting your comments, I remain,

Yours truly,

Mrs. Edward J. Mazza

October 19, 1974

original [illegible] Johnston

62-109060-1116

REC-25 62-109060-7146

November 15, 1974

1 - Congressional Services Office - Encs. (4)
1 - Mr. Mintz

Honorable J. Bennett Johnston
United States Senate
Washington, D. C. 20510

117

Dear Senator Johnston:

Reference is made to your communication of October 23rd to the Department of Justice in behalf of Mrs. Edward T. Miazza, a constituent. Your communication was referred to this Bureau for response and was received on November 18th.

Regarding Mrs. Miazza's inquiry concerning the files on the assassination of President Kennedy, upon completion of the Warren Report, The President's Commission on the Assassination of President John F. Kennedy sent investigative materials and documentary evidence to the National Archives and Records Service, 7th and Pennsylvania Avenue, N. W., Washington, D. C. 20408, for permanent preservation. Some of these documents are now available to the public. Any request for the available material may be forwarded to the National Archives, attention: NNFC, area 6W3.

The documents which have not been made available at the National Archives are contained in investigatory files compiled for law enforcement purposes and are thereby exempt from public disclosure pursuant to the provisions of Title 5, United States Code, Section 552 (b)(7). Enclosed is a copy of the Freedom of Information Act, Reprint of Statute, Existing Regulations and Statements of Policy from Title 5, United States Code, Section 552, which may be of interest and assistance.

Because of the general nature of the inquiry concerning suits filed in the District of Columbia, we are unable to comment on the reasons for their being unsuccessful.

As requested, your enclosures are returned herewith.

Sincerely yours,

C. M. Kelley

Clarence M. Kelley
Director

Assoc. Dir. ____
Dep. AD Adm. ____
Dep. AD Inv. ____
Asst. Dirs.
Admin. ____
Comp. Syst. ____
Ext. Affairs ____
Files & Com. ____
Gen. Inv. ____
Ident. ____
Inspection ____
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Plan. & Eval. ____
Spec. Inv. ____
Training ____
Legal Coun. ____
Telephone Rm. ____
Director Sec'y ____

MAILED 7
NOV 15 1974
FBI

Enclosures (3)
1 - The Deputy Attorney General - Enclosures (3)
1 - Bufile 62-115530 (FOI-REPLIES)
MCC:ms (8)

NOTE PAGE TWO

NOV 26 1974

MAIL ROOM ☑ TELETYPE UNIT ☐

Honorable J. Bennett Johnston

NOTE: No record appears in the Buindices on Mrs. Edward T. Miazza. Location of Kennedy's assassination documents at Archives was determined in connection with prior similar requests.

RECEIVED

NOV 4 1974

United States Senate

O.L.A.

October 23, 1974

Respectfully referred to:

Department of Justice
Congressional Liaison
Washington, D. C.

Because of the desire of this office to be responsive to all inquiries and communications, your consideration of the attached is requested. Your findings and views, in duplicate form, along with return of the enclosure, will be appreciated.

OFFICE OF LEGISLATIVE AFFAIRS
DEPARTMENT OF JUSTICE
ASSISTANT ATTORNEY GENERAL

Sincerely,

J. Bennett Johnston
U.S.S.

Form #2

RECEIVED
NOV 19 10 19 AM '74
OFFICE OF LEGAL COUNSEL

Peter Risso
33 Kenyon Avenue
Wakefield, R.I. 02879

Attention:
Office of Legal Co
Washington, D.C. 205

Dear Sir;

On December 3, 1973 Director of the F.B.I. Clarence M. Kelley wrote me and told me that certain F.B.I. files were for law enforcement purposes. This is pertaining to President John F. Kennedys assassination.

Well today on November the 21, 1974 the congress overod a presidental veto by a House vote of 316-7 and by the Senate 62-27. I respectfully submit that I have claim to some of these records.

Thank You
Peter (M.) Risso

P.S. This is pertaining to the Freedo Information Act and its new amendment

Lillian & Harold Weisberg
Coq d'Or Press ROUTE 7, FREDERICK, MD. 21701
Code 301/473-8186

November 27, 1974

The Deputy Attorney General
The Department of Justice
Washington, D. C. 20000

Dear Sir: J. Edgar F. Kennedy

After exhausting my administrative remedies, I filed C.A. 2301-70 in Federal district court in Washington. In it I sought the described spectrographic analyses made by the FBI for the Warren Commission which had been denied me.

The law has now been amended. I herewith request that you reinstitute this application for these analyses under the law as amended.

The Department saw fit in this previous case to make misrepresentations to the courts. I therefore want it to be clear that I sought and now seek only the final scientific reports on these tests. Not raw materials, not laboratory work, only the conclusions as embodied in the full report, or the report itself.

Herewith I expand that request to include similar neutron-activation testing, whether or not by the FBI, of those same objects and materials, namely the bullet allegedly used in the assassination, various fragments of bullet also allegedly so used, and the various objects said to have been in contact with any or all of these. Here also my request is for the complete report only.

12 REC-56 7147

Very truly yours,

7 FEB 12 1975

Harold Weisberg

Harold Weisberg

11-CF

62-109060-7147

CHANGED TO

190-1813-X

JUN 2 1977

FT/CDM

FBI/DOJ

FBI

Date: 12/4/74

Transmit the following in _____ (Type in plaintext or code)

Via AIRTEL _____ (Priority)

Asst. Dir.: Admin. Comp. Syst. Ext. Affairs Files & Com. Gen. Inv. Ident. Inspection Intell. Laboratory Plan. & Eval. Spec. Inv. Training Legal Coun. Telephone Rm. Director Sec'y

TO: DIRECTOR, FBI (62-109060)

FROM: SAC, DALLAS (89-43) (P*)

SUBJECT: ASSASSINATION OF
JOHN FITZGERALD KENNEDY
DALLAS, TEXAS
11/22/63
MISCELLANEOUS - INFORMATION
CONCERNING

OO: DALLAS

Enclosed for the Bureau is one copy of a clipping described as follows: "The Dallas Times Herald", Dallas, Texas, 11/25/74, captioned "Shooting of JFK still stirs students". This article is furnished the Bureau for its information.

62-109060-7148

REC-75

15 DEC 10 1974

ENCLOSURE

2-Bureau (Enc. 1)
2-Dallas
RPG:ls
(4)

64 DEC 17 1974

Approved: _____ Special Agent in Charge

Sent _____ M Per _____

U.S. GOVERNMENT PRINTING OFFICE : 1969 O - 346-818

(Mount Clipping in Space Below)

Shooting of JFK still stirs students

BOCA RATON, Fla. (AP)— Eleven years after President John F. Kennedy's death, some history students still can't separate emotions from research, says a college professor teaching a course on the assassination.

"We can't let emotions play a part in historical research, and that's what this course is all about," Dr. William Marina says. "The important thing is to attempt to answer questions objectively. But it's hard when dealing with a subject that had such an impact, even on some of our younger students."

Sixty Florida Atlantic University students are enrolled in Marina's course, "The Kennedy Assassination." Formerly part of a history methodology course, study of the killing was severed this semester because of its independent research demands.

"I think some students weren't prepared for the amount of work required," says Marina, who as a doctoral student watched the presidential motorcade wind its way through the streets of Dallas Nov. 22, 1963.

"There is no 'right' hypothesis. The students are graded on the amount of evidence they can bring to bear to support their hypotheses," he says.

Course texts include writings of assassin Lee Harvey Oswald, the Warren Commission Report and transcripts from the commission's lengthy hearings.

"The documents I use in class, like eyewitness reports, are deliberately contradictory," Marina says. "We study the events leading up to the assassination, the psychology of the assassin and the procedures of the Dallas police."

He says that the secrecy exposed in American involvement in Vietnam and in Watergate has popularized a conspiracy theory about Kennedy's death.

"Some students are convinced there must have been some type of plot but I don't encourage the conspiratorial idea," Marina says. "There have been some interesting hypotheses, however."

Marina says he has grave reservations about some methods used in the Warren Commission study. At the same time, he does not want to say that all questions raised about the assassination will ever be answered to everyone's satisfaction.

Says Marina, "That's for history to decide."

(Indicate page, name of newspaper, city and state.)

"The Dallas Times Herald"

Dallas, Texas

Page 7B

Date: 11-25-74

Edition:

Author:

Editor: Tom Johnson

Title:

Character:

or

Classification:

Submitting Office: Dallas

☐ Being Investigated

(...-10?)(...) - ...

ENCLOSURE

December 19, 1974

1 - Mr. Adams
1 - Mr. White
Atten: Mr. Frazier
1 - Mr. Mintz

REC-56 62-109060 7147X

Mr. Harold Weisberg
Coq d'Or Press
Route 8
Frederick, Maryland 21701

Dear Mr. Weisberg:

This is to acknowledge your letter addressed to the Deputy Attorney General, Department of Justice, which was referred to this Bureau and received on December 6th.

For your information, we are presently awaiting guidelines and instructions from the Department of Justice regarding the implementation of the recently amended Freedom of Information Act, which becomes effective February 19, 1975. In the meantime, we are attempting to identify and locate the documents in which you have expressed an interest, and will communicate with you concerning this in the near future.

MAILED 20
DEC 19 1974
FBI

Sincerely yours,

C. M. Kelley

Clarence M. Kelley
Director

1 - The Deputy Attorney General - Enclosure
1 - Bufile 62-115530 (FOI-REPLIES)

NOTE: See Legal Counsel to Mr. J. B. Adams memorandum dated 12-17-74, captioned, "Freedom of Information Act (FOIA) Request of Harold Weisberg."

TJB:law (8)

Assoc. Dir. ____
Dep. AD Adm. ____
Dep. AD Inv. ____
Asst. Dirs.
Admin. ____
Comp. Syst. ____
Ext. Affairs ____
Files & Com. ____
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Plan. & Eval. ____
Spec. Inv. ____
Training ____
Legal Coun. ____
Telephone Rm. ____
Director Sec'y ____

MAIL ROOM ☐ TELETYPE UNIT ☐

December 12, 1974

DEC 11? 7149

Honorable Edward Allen Tamm
United States Circuit Judge
District of Columbia Circuit
United States Court of Appeals
Washington, D. C. 20001

Dear Judge:

Many thanks for your kindness in sending me the article entitled "Author Suggests Hoover Would Have Masked Oswald's Ties" from the December 1st edition of "The Hartford Courant." It was thoughtful of you to take the time to bring this to my attention and I certainly appreciate your doing so.

Sincerely yours,

Clarence Kelley

Clarence M. Kelley
Director

1 - New Haven - Enclosures (2)
1 - Mr. Gebhardt - Enclosures (2)
Attention: Mr. Nettles

NOTE: Judge Tamm is a former Agent who EOD 12-1-30 and resigned 6-25-48. He is on the mailing list to receive Bureau publications. Salutation per mailing list.

JWS:lb (4)

MAILED 6
DEC 12 1974
FBI

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Telephone Rm. ___
Director Sec'y ___

54 JAN 13 1975

MAIL ROOM ☒ TELETYPE UNIT ☐

DEC 1974

JWS

United States Court of Appeals
District of Columbia Circuit
Washington, D. C. 20001

Chambers of
Edward Allen Tamm
United States Circuit Judge

December 5, 1974

Clarence M. Kelley, Director
Federal Bureau of Investigation
Department of Justice
Washington, D. C. 20535

My dear Clarence:

Although I know the Bureau has substantial access to newspaper stories appearing in various parts of the United States, I have just received the enclosed clipping from The Hartford Courant for December 1 and pass it on to you to guard against the possibility that it was not brought to your attention.

Sincerely,

Edward Allen Tamm

EAT:ska

Enclosure

7149

DEC 24 1974

DEC 31 1974

Author Suggests Hoover Would L

By ROBER M. ANDREWS

WASHINGTON (UPI) — Former CIA Director Allen W. Dulles told his Warren Commission colleagues early in their investigation that they had no choice but to accept J. Edgar Hoover's denial that Lee Harvey Oswald was ever an undercover FBI agent.

In a newly declassified document now made public, Dulles indicated the FBI director might not acknowledge Oswald's employment even had he known it was a fact.

In the transcript of a private commission meeting Jan. 27, 1964, Dulles said both the FBI and the CIA probably would lie to everyone but the President to conceal the identities of their agents and informants.

The transcript, published in a new book by Harold Weisberg entitled "Whitewash IV," shows that the high-level commission investigating President John F. Kennedy's assassination was troubled by spreading rumors that Oswald had been on the FBI payroll.

"What you do is you make out a problem, if this be true, make our problem utterly impossible because you say this rumor can't be dissipated under any circumstances," complained House Democratic Whip Hale Boggs.

"I don't think it can, unless you believe Mr. Hoover, and so forth and so on, which probably most of the people will," Dulles replied.

"You can't prove what the facts are," he added later. "I don't think there is an external evidence other than the person's word that he did or did not employ a particular man as a secret agent. No matter what."

In sworn testimony before the commission a few months later, FBI Director Hoover and John A. McCone, then Dulles' successor at the CIA, denied Oswald had any connection—direct or indirect—with their agencies they have decided that no one else was involved ..."

"They have tried the case and reached a verdict on every aspect," Russell said.

"Yes, 'We know who killed cock robin'," said John J. McCloy. "That is the point. It isn't only who killed cock robin. Under the terms of reference we have to go beyond that."

The members seemed to agree with Russell's observation that "of course, we can get an affidavit from Mr. Hoover and put it in this record and go on and act on that, but if we didn't go any further than that...there still would be thousands of doubting Thomases who would believe this man was an FBI agent and you just didn't try to clear it up and you just took Hoover's word."

Weisberg, of Frederick, Md., a leading advocate of the assassination conspiracy theory, obtained the transcript and other documents under the Freedor after a l

In his view, commi timidat that it s denials McCone get inc source

At one point during the Jan. 27 meeting, Sen. Richard B. Russell, D-Ga., turned to Dulles and touched on the delicate question of interrogating the investigators.

"If Oswald never had assassinated the President, or at least been charged with assassinating the President, and had been in the employ of the FBI and somebody had gone to the FBI, they would have denied he was an agent," Russell suggested.

"Oh, yes," Dulles replied.

"They would be the first to deny it. Your agents would have done exactly the same thing."

"Exactly."

At another point, Dulles said it was "a terribly hard thing to disprove" that someone was a secret agent. But if he were, Dulles said, the man who recruited him would refuse to disclose his identity under oath and might even keep it from his superior.

"I would tell the President of the Unitd States anything, yes, I am under his control. He is my boss. I wouldn't necessarily tell anybody else, unless the President authorized me to do it," he said.

A few moments later, he added: "What I was getting at, I think Mr. Hoover would say certainly he didn't have anything to do with this fellow."

During the 3½-hour meeting, J. Lee Rankin, the commission's general counsel, said part of the difficulty in trying to question [illegible]

CLOSURE

Bowl $40.50

Dowl $65.75

64-10900-7149

uld Have Masked Oswald's Ties

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Freedom of Information Act after a lengthy court battle.

In his book and in an interview, Weisberg said the commission was so intimidated by Hoover's power that it settled for pro forma denials from Hoover and McCone instead of trying to get independently to the source of the undercover agent rumor while also questioning FBI authorities.

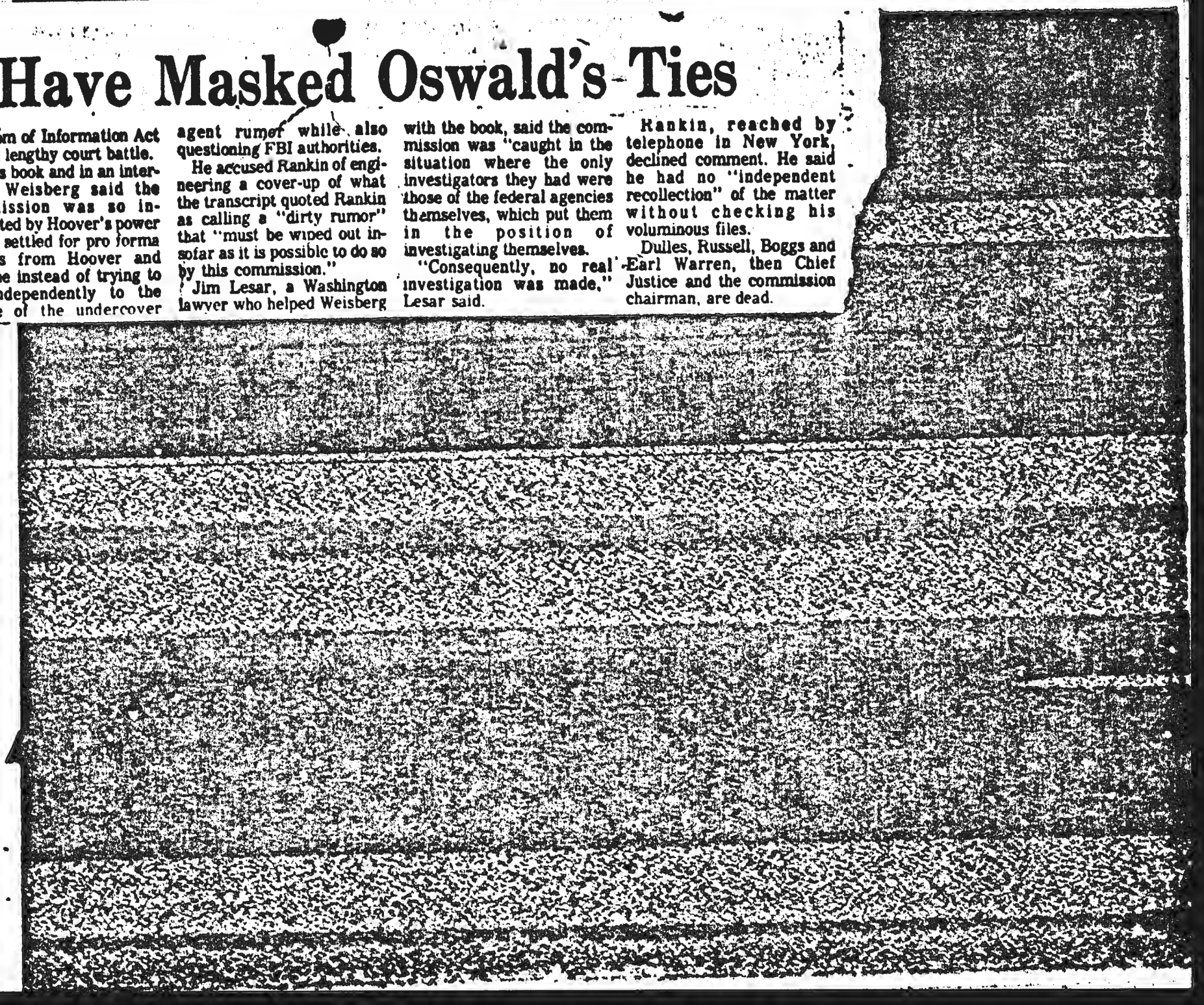
He accused Rankin of engineering a cover-up of what the transcript quoted Rankin as calling a "dirty rumor" that "must be wiped out insofar as it is possible to do so by this commission."

Jim Lesar, a Washington lawyer who helped Weisberg with the book, said the commission was "caught in the situation where the only investigators they had were those of the federal agencies themselves, which put them in the position of investigating themselves.

"Consequently, no real investigation was made," Lesar said.

Rankin, reached by telephone in New York, declined comment. He said he had no "independent recollection" of the matter without checking his voluminous files.

Dulles, Russell, Boggs and Earl Warren, then Chief Justice and the commission chairman, are dead.



UNITED STATES GOVERNMENT

Memorandum

Assoc. Dir. ____
Dep. AD Adm. ____
Dep. AD Inv. ____
Asst. Dir.:
Admin. ____
Comp. Syst. ____
Ext. Affairs ____
Files & Com. ____
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Spec. Inv. ____
Training ____
Legal Coun. ____
Telephone Rm. ____
Director Sec'y ____

TO : Mr. J. B. Adams

DATE: 12-17-74

FROM : Legal Counsel

SUBJECT: FREEDOM OF INFORMATION ACT (FOIA) REQUEST OF HAROLD WEISBERG

Attached is a proposed letter to captioned individual. Incoming correspondence was addressed to the Deputy Attorney General dated 11-27-74, and was received by the FOIA Unit on 12-6-74.

It will be recalled Weisberg's initial lawsuit, referred to in his letter, concerned spectrographic analyses made by the FBI for the Warren Commission in connection with the Kennedy assassination. This suit culminated in an appeal to the Supreme Court, which on 5-13-74 denied certiorari, leaving the District of Columbia Circuit Court decision which upheld our withholding the documents under the exemption provisions of Section (b)(7), FOIA (investigatory files).

Weisberg now reinstitutes his request under the amended FOIA which limits the former investigatory files exemption to certain enumerated categories and types of information, none of which initially appear applicable to the material Weisberg requests. He additionally requests results of neutron activation testing, but specifies he is interested only in final reports, not raw materials or Laboratory work.

RECOMMENDATIONS: REC-56 62-109060-7149X

1. That the Laboratory Division review the request of Weisberg for the purpose of identifying reports and material requested, and furnish the FOIA Unit with observations regarding the volume of material requested and any unusual cost factors regarding release of the information.

Enclosure -
1 - Mr. Adams - Enclosures (2)
1 - Mr. White - Enclosures (2)
Atten: Mr. Frazier
1 - Mr. Mintz

7 FEB 12 1975

70 MAR 25 1975

THB:law (5)

RECOMMENDATIONS CONTINUED ON PAGE TWO

41 FEB 26 1975

LEGAL COUNSEL

RECOMMENDATIONS:

2. That the FOIA Unit review the material identified by the Laboratory Division as being within the scope of Weisberg request to determine the applicable provisions of the FOIA.

3. That the attached letter be sent to Mr. Weisberg.
(2-19-74)

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Jenkins

DATE: 1/21/75

FROM : J. J. McDermott

SUBJECT: ASSASSINATION OF JOHN FITZGERALD KENNEDY
DALLAS, TEXAS, NOVEMBER 22, 1963

This relates to the allegations that E. Howard Hunt and Frank Sturgis, Watergate figures, and Thomas Arthur Vallee, Chicago, Illinois, were arrested near the Texas School Book Depository in Dallas, Texas, shortly after the assassination of President Kennedy. This information came to our attention in August, 1974, through A. J. Weberman and Michael Canfield, described as underground newspaper people in New York City, who apparently had made a deal with "Stern" Magazine, a German publication, for the use of a photograph and story regarding this matter.

Klaus Liedtke, U. S. correspondent for "Stern" Magazine, and Peter G. Wickman, London Editor of "Stern," contacted my office today concerning the abovementioned photograph. In general terms they were advised that the FBI had looked into this matter and determined that the three individual were not identical with Hunt, Sturgis and Vallee based on an examination of the photograph with known photographs of Hunt, Sturgis and Vallee, in addition to other independent investigation conducted by the FBI. Liedtke and Wickman apparently are still trying to develop a story showing some CIA involvement with the Kennedy assassination but appeared to be satisfied with the explanations furnished them as to the result of our investigation.

RECOMMENDATION

For information.

REC-40 7150

1 - Mr. McDermott
1 - Mr. Gebhardt
1 - Mr. Malmfeldt
1 - Mr. Heim

JMM:asg
(5)

FBI

Date: 12/20/74

Transmit the following in _____ (Type in plaintext or code)

Via AIRTEL _____ (Priority)

TO: DIRECTOR, FBI (62-109060)

FROM: SAC, NEW YORK (89-75)

SUBJECT: ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY
11/22/63, DALLAS TEXAS
MISCELLANEOUS - INFORMATION CONCERNING
(OO:DALLAS)

Re LAlet to Director, 11/6/74.

Attached for Bureau, Dallas, and Newark are two copies each of personal interview with Mrs. ALEXANDER COLE and telephonic interview with Miss ELIZABETH COLE.

NY indices negative for both Mrs. ALEXANDER COLE and Miss ELIZABETH COLE. Leads are being left up to discretion of Bureau and OO.

No further investigation being conducted by NYO, UACB.

EX-101

ENCLOSURE

62-109060-715

(2) Bureau (Encl. 4)
1-Dallas (Encl. 2)
1-Newark (Encl. 2)
1-New York

WBK:ems
(6)

Approved: _____ Special Agent in Charge

Sent _____ M Per _____

GPO : 1970 O - 455-525

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 12/18/74

Mrs. ALEXANDER COLE, 1175 Park Avenue, New York City (unlisted telephone number 348-0088), advised that she is the mother of Miss ELIZABETH COLE, who presently resides at 680 Berdan Avenue, Wayne, New Jersey, telephone 201-696-7849.

Mrs. COLE advised that she was born in France and upon the birth of her daughter ELIZABETH, she was educated in France. She stated her daughter speaks English, French and Spanish fluently and entered Hunter College at the age of 14. Mrs. COLE advised that her daughter also attended Mc Gill University in Montreal, Canada. She stated that her daughter has several degrees in Biology, Chemistry and Psychology and is presently writing her thesis for her doctrate in genetics. She stated that this doctrate is a study of the entire native population of the island of Aruba, which population has descended from the original four families, that settled on Aruba. She explained that the intermarriage of the members of these families provides an excellent study of genetics.

Mrs. COLE stated that on the day of the assassination of JOHN F. KENNEDY, President of the United States, her daughter ELIZABETH COLE told Mrs. COLE that approximately two to three weeks prior to the assassination, while Miss COLE was attending a foreign studies seminar at Rutgers University in New Jersey, she met several other students representing other universities for purposes of exchanging ideas related to foreign students in the United States. Miss COLE represented the foreign students at Hunter College for the purpose of this seminar. This seminar at Rutgers lasted over a Friday, Saturday and Sunday period. Mrs. COLE stated that her daughter told her that on Saturday night while her daughter was attempting to call Mrs. COLE, there was a Cuban student, representing the foreign students at Fairleigh Dickinson University, conversing in Spanish. Mrs. COLE advised that her daughter being conversant in Spanish overheard the entire conversation. Mrs. COLE advised that her daughter told her that this Cuban was speaking about killing the President of the United States. The conversation also had

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Interviewed on 12/18/74 at New York, New York File # NY 89-75

by SA [redacted] ems/MAR Date dictated 12/18/74

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

ENCLOSURE 62-109060-715

mention of Dallas in it, as well as the names of two persons involved in Dallas neither of whom was LEE HARVEY OSWALD.

Mrs. COLE advised that at this point she asked her daughter what she had done about the phone call and her daughter stated that upon her return to New York on Monday after the seminar, she called the Federal Bureau of Investigation (FBI) at New York and gave her name, address and telephone number as well as her parent's telephone number and related the entire story including the names mentioned on the phone by the Cuban, as well as his name. Mrs. COLE stated that her daughter told her that the FBI had never contacted her.

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 12/18/74

Mrs. COLE telephonically contacted her daughter and her daughter gave the following information by phone:

Miss ELIZABETH COLE, 630 Barden Avenue, Bayne, New Jersey, (201-696-7243) advised that she was born on January 25, 1947, is five feet five inches and weighs 110 pounds. She stated that she has a Bachelor of Science (BS) from Mc Gill University, Montreal, a graduate degree in Anthropology and is presently writing a thesis for her doctrate in genetics.

Miss COLE advised that approximately two or three weeks prior to the assassination of JOHN F. KENNEDY, President of the United States, she attended a seminar at the Douglas Dorms for Women at Rutgers University in New Jersey. She stated that she represented the foreign students at Hunter College and that the other people in the seminar represented foreign students from other universities. She advised that on Saturday night, while attempting to telephone her parents she overheard a Cuban student representing the foreign students of Fairleigh Dickinson University speaking in Spanish on the telephone. She advised that she speaks Spanish fluently and although she only heard half of the telephonic conversation she does remember that the following things were mentioned during the call:

1. The President of the United States
2. Dallas, Texas
3. The names of two people in Dallas, which names she does not recall now but neither names were LEE HARVEY OSWALD.
4. Dates and places not recalled now
5. Mention was made, however not by name, of someone sympathetic to the Cuban side, highly placed in the United States Government, who could provide protection in Washington, D. C. and Dallas.
6. A "patsy" who could not be traced to them.

Interviewed on 12/18/74 at New York, New York (telephonically) File # NY

by SA [redacted] cam/MAR Date dictated 12/18/74

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

Miss COLE stated that on Monday, upon her return to her parents apartment in New York City, she telephoned the Federal Bureau of Investigation (FBI) at New York, and provided all of the above information including at that time the names of people mentioned in Dallas and other dates and places mentioned in the phone call which she now forgets.

During the conversation between Miss COLE and Special Agent [redacted], when Miss COLE mentioned that the student from Farleigh Dickinson University was Cuban, she stated that this probably did not mean anything that the student was a Cuban. Miss COLE requested that when agents wish to contact her in New Jersey, would they please call for an appointment as she is in the middle of her thesis.

AIRTEL

To: SAC, Dallas 1/22/75

From: Director, FBI (62-109060) 1-Mr. Nettles
1-Mr. Nasca

ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY
11/22/63, DALLAS, TEXAS
MISCELLANEOUS - INFORMATION CONCERNING
OO: DALLAS

ReLalet 11/6/74, and New York airtel 12/23/74.

Enclosed for Newark for background are two copies of reLalet with its enclosure.

Bureau files contain no information identifiable with either Alexander or Elizabeth Cole. U. S. Secret Service Headquarters files contain no information identifiable with Miss Elizabeth Cole.

Newark, New York and Dallas review pertinent Miscellaneous - Information Concerning and IS-Cuba files for the two-month period prior to the assassination of President Kennedy to determine if telephonic information from Miss Elizabeth Cole was made a matter of record and acted upon. Do not limit this review to indices checks.

Dallas attempt to determine the name of the Cuban alleged in the letter enclosure to reLalet to have been picked up in Dallas on 11/22/63.

2 - Newark (Encs. 2)
2 - New York
1 - Los Angeles (for info)

WEN:dkf
(10)

SEE NOTE PAGE 2. . .

MAILED 22
JAN 22 1975
FBI

Assoc. Dir. ____
Dep. AD Adm. ____
Dep. AD Inv. ____
Asst. Dir.:
Admin. ____
Comp. Syst. ____
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Legal Coun. ____
Telephone Rm. ____
Director Sec'y ____

MAIL ROOM ☐ TELETYPE UNIT ☐

GPO 954-546

New York check with local office of U. S. Secret Service to determine if Miss Cole's telephone call might have been to them.

Newark contact Miss Cole to determine if she recalls anything else about the conversation, including the name of the Cuban student she overheard. Determine if she specifically heard the student mention killing or making some kind of attack on the President.

NOTE: A former Indiana State Senator Raymond W. Baker sent a letter to the Department of Justice and made a copy of the letter available to the Los Angeles Division in October, 1974. In this letter he set forth information regarding an Elizabeth Cole of New Jersey overhearing a Cuban at a college in New Jersey several weeks prior to the assassination of President Kennedy discussing a plan to kill the President in Dallas, Texas. He alleged in the letter that Cole had called the New York FBI Office a day or so later and provided the information, but was never recontacted by the FBI. He also alleged in the letter that Cole's mother had stated a Cuban who had the same name as the person overheard had been picked up and released in Dallas on 11/22/63. The Department of Justice sent the letter to the FBI in November, 1974 for information and whatever action was deemed appropriate. New York and Dallas indices contain no information identifiable with Cole or her mother, Mrs. Alexander Cole. Both mother and daughter have been interviewed by New York.* SA [redacted] U. S. Secret Service Liaison advises their headquarters files contain no information identifiable with Miss Cole. This communication instructs Newark, New York and Dallas to review appropriate files for two-month period prior to 11/22/63 in an attempt to determine if Miss Cole's call was made a matter of record and acted upon. Dallas is instructed to attempt to identif the Cuban allegedly picked up and released. New York is instructed to check with local U. S. Secret Service office to determine if Miss Cole's call might have been placed to them.

*Information provided by them is substantially the same as was contained in Mr. Baker's letter.

FBI

Date: 1/27/75

Transmit the following in _____ (Type in plaintext or code)

Via AIRTEL _____ (Priority)

TO DIRECTOR, FBI (62-109060)

FROM SAC, DALLAS (89-43) (P*)

ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY,
11/22/63, Dallas, Texas,
MISCELLANEOUS - INFORMATION CONCERNING

OO - DALLAS

Re Buairtel to Dallas, 1/22/75; Los Angeles letter to Bureau, 11/6/74, and New York airtel to Bureau 12/23/75.

Dallas indices contain no identifiable information on ALEXANDER or ELIZABETH COLE other than referenced communications.

Pertinent Miscellaneous - Information Concerning and IS - Cuba files for the two month period prior to 11/22/63, have been reviewed and no record was located concerning any telephonic information from ELIZABETH COLE.

Efforts to determine the name of the Cuban alleged in the letter enclosed to re Los Angeles letter to have been picked up in Dallas on 11/22/63, have been negative. It should be noted that the assassination captioned case includes 80 volumes, and the LEE HARVEY OSWALD case includes 76 volumes. Spot checks of certain volumes have been made, but it has not been possible to identify any individual who may be identical to the alleged Cuban mentioned by Miss COLE.

(2) - Bureau
1 - Newark (Inf.)
1 - New York (Inf.)
1 - Dallas (89-43)
RPG:mlf
(5)

REC-56 62-109060-775

JAN 29 1975

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

FEB 6 1975

U. S. GOVERNMENT PRINTING OFFICE : 1969 O - 349-999

From an analysis of the results of interviews in 12/74, of Mrs. ALEXANDER COLE and Miss ELIZABETH COLE by the New York Office, the following observations are made:

Miss ELIZABETH COLE was born 1/25/47, and therefore would have been 16 years of age at the time of her alleged telephone call to the New York Office in 11/63. She indicated she noted the Cuban student's name tag. It would appear if she actually noted the name tag and called the New York Office, she would remember the name since more than likely this would have been the only time in her life she ever called the FBI to report something. This would appear to be especially true based on her alleged high degree of intelligence. Furthermore, it is noted that she claims this Cuban student represented the foreign students from Farleigh Dickinson University. If considered feasible, the Bureau may desire to attempt to identify the foreign students from Farleigh Dickinson University who attended the seminar at Rutgers University in New Jersey, in approximately early 11/63, and thereafter, have Miss COLE review such names to identify the name of the alleged Cuban she heard making the telephone call. It would also appear that she would have seen this Cuban and a physical description of him might be helpful.

It is almost impossible, except from memory, to locate such nebulous information in the voluminous results of captioned investigation, unless a name is available for searching.

Copies of this communication are being furnished the Newark and New York Offices for their information since Bureau has requested investigation by those offices.

THIS SERIAL HAS BEEN REFERRED TO ANOTHER AGENCY AND IS IN A PENDING STATUS:

FILE NO. 62-109060

SERIAL NO. 7153

PAGE NO. _____

NO. OF PAGES 2

SECTION NO.

178

U.S. SECRET SERVICE

REFERRAL

FBI

Date: 2/3/75

Transmit the following in _____
(Type in plaintext or code)

Via AIRTEL _____
(Priority)

TO: DIRECTOR, FBI (62-109060)

FROM: SAC, DALLAS (89-43) (P*)

SUBJECT: ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY,
11/22/63,
DALLAS, TEXAS
MISCELLANEOUS - INFORMATION CONCERNING

OO: DALLAS

Re Bureau airtel to Dallas, Chicago, and WFO dated 9/18/74, enclosing for Dallas eight photographs showing three individuals in custody of Dallas Police Officers in the vicinity of the Texas School Book Depository, one each of known photographs of E. HOWARD HUNT and FRANK STURGIS, and one photograph of a newspaper article from "The New York Times." These items were photographed from an album furnished to the Director by DONALD DONAHUE, Special Assistant to Senator JACKSON of Washington. Reference is also made to Chicago airtel to Bureau dated 9/24/74; Bureau airtel to Dallas, Chicago, and WFO dated 9/25/74; Dallas airtel to Bureau dated 9/30/74; Chicago airtel to Bureau dated 10/1/74; Dallas nitel to Bureau dated 10/7/74; and Baltimore nitel to Bureau dated 10/17/74.

Enclosed for the Bureau are the following items, which were made available to the Dallas Office on 1/31/75, by Mr. TOM JOHNSON, Publisher, Dallas Times Herald, Dallas, Texas:

Copy and Specimens retained in Lab

62-109060-7154

REC 75

ENCLOSURE

(2) - Bureau (Enc. 6)
1 - Chicago (62-6115) (info)
1 - WFO (89-75) (info)
1 - Dallas
RPG/jmb
(5)

EX-103

FEB 5 1975

70 MAR 20 1975

70 MAR 1 1975

Sent _____ M Per _____

Special Agent in Charge

U. S. GOVERNMENT PRINTING OFFICE : 1969 O - 348-000 (113)

1. Copy of UPI Chicago Press Release regarding comments by DICK GREGORY, alleging that he had evidence placing some of the same familiar persons in the Watergate scandal in Dallas at the time of President KENNEDY's assassination.

2. Flimsy Press Release Sheet showing DICK GREGORY with known photographs of E. HOWARD HUNT and FRANK STURGIS, and pictures of two individuals photographed at Dallas on 11/22/63.

3. Photograph taken at Dallas, 11/22/63, showing three unknown individuals and a Dallas Police Officer.

4. Photograph taken at Dallas, 11/22/63, showing three unknown individuals (one almost completely obscured) and three Dallas Police Officers, one of whom had back to camera.

5. Photograph taken at Dallas, 11/22/63, showing same three unknown individuals (one almost completely obscured) and one Dallas Police Officer from different angle.

6. Photograph taken at Dallas, 11/22/63, showing same three unknown individuals and two Dallas Police Officers from different angle.

Each of the above enclosures have been identified by number as indicated above.

It is noted that the photographs made available by Mr. JOHNSON are copies of portions of the same photographs showing the three unknown individuals in custody of Dallas Police Officers mentioned in referenced Bureau airtel dated 9/18/74.

Copies of the six above described items furnished by Mr. JOHNSON are being retained in Dallas Files.

The foregoing described items are furnished the Bureau for information. It appears that investigation has been conducted to substantiate that E. HOWARD HUNT and FRANK STURGIS were not in Dallas on 11/22/63.

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI (62-109060) DATE: 2/6/75

FROM: SAC, NEWARK (62-3060) (RUC)

SUBJECT: ASSASSINATION OR PRESIDENT
JOHN FITZGERALD KENNEDY
11/22/63, DALLAS, TEXAS
MISCELLANEOUS - INFORMATION
CONCERNING
(OO: DALLAS)

Re: Bureau airtel to Dallas dated January 22, 1975.

Enclosed for the Bureau and receiving offices is one (1) copy of an FD-302 reflecting an interview of Miss ELIZABETH COLE at Wayne, New Jersey, on January 24, 1975.

For the information of the Bureau and receiving offices, Newark has reviewed the following files for the two month period prior to the captioned assassination in an attempt to determine if the information which Miss COLE allegedly relayed telephonically to the New York Division was made a matter of record:

NKfile	[redacted]	Captioned as above
NKfile		Cuban Intelligence Activities
NKfile		Cuban Matters
NKfile		FPM - Cuba
NKfile		Travel Matters - Cuba
NKfile		FPM - Cuba
NKfile		July 26 Movement, Fair Play For Cuba Committee

RIC 60-3155

A review of the files set out above were negative, in that the date allegedly furnished by ELIZABETH COLE was not located and there is no record of any anonymous source having furnished any information similar in content to the facts related by Miss COLE to SA GLEN C. REUKAUF on January 24, 1975.

FEB 7 1975

UACB, Newark conducting no further investigation regarding captioned matter.

2-Bureau (Enc. 1)
1-Dallas (Enc. 1)(Info)
1-Indianapolis (Enc. 1)(Info)
1-Los Angeles (Enc. 1)(Info)
1-New York (Enc. 1)(Info)
1-Newark
GCR/sjf
(7)

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

FEDERAL BUREAU OF INVESTIGATION

Date of transcription February 5, 1975

1

Miss ELIZABETH COLE was interviewed at her residence, 680 Berdan Avenue, Wayne, New Jersey. Miss COLE was advised of the identity of the interviewing agent and the purpose of the interview, afterwhich she furnished the following information:

Miss COLE advised that during the first week of November, 1963, she attended a Foreign Students Convention which was hosted by Rutgers University, New Brunswick, New Jersey. Miss COLE represented the International Students Club of Hunter College in New York City, where she was an undergraduate student. Miss COLE was the president of the International Students Club of Hunter College at the time.

Miss COLE advised that after arriving at the conference and registering, the female delegates were assigned to various residences at Douglas College, which is adjacent to Rutgers University. The conference was held over a weekend, commencing on Friday afternoon and terminating on the following Sunday evening. The delegates were divided into various groups which met at the Douglas College residences. The meetings were attended by both male and female student delegates.

Miss COLE advised that she attended a meeting at her assigned residence at Douglas College which was also attended by a male Cuban student from Fairleigh Dickinson University. Miss COLE could not recall the student's name; however, she recalled he wore a name tag which reflected that he was of Cuban extraction and a student at Fairleigh Dickinson. Miss COLE further stated that at the present time she could no longer recall the name or address of the residence to which she was assigned while attending the conference at Douglas College. Miss COLE stated that the Cuban student from Fairleigh Dickinson University spoke several times during the conference of the unsuccessful "Bay of Pigs Invasion" which had recently occurred during the KENNEDY Administration. Miss COLE stated that the Cuban student appeared to be very unhappy about the outcome about

Interviewed on 1/24/75 at Wayne, New Jersey File # Newark 62-3060

by SA [redacted] /sjf Date dictated 1/30/75

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

62-109106-1155

of the "Bay of Pigs" and he spoke of being involved in the affair. The student also mentioned having some friends in Florida who were also involved in the "Bay of Pigs Invasion". The student expressed a strong dislike for FIDEL CASTRO and he spoke of how much CASTRO had taken from his family after seizing power in Cuba. Miss COLE stated that while the student spoke very knowledgeably about the "Bay of Pigs Invasion" and FIDEL CASTRO's takeover in Cuba, she did not regard his statements as being necessary believable. Miss COLE advised that it had been her experience prior to attending the Foreign Students Conference and since that time to learn that college students often speak very ardently about causes and proposed activities while never taking any action with regard to their concepts. Miss COLE attributes her belief to the fact she feels many students are highly visionary in their thinking with regard to world affairs, they lack either the initiative or the courage to act upon their convictions.

Miss COLE advised that on either Friday or Saturday evening she attempted to call her parents in New York City from a pay telephone located on a wall in the hallway of her residence. When she got to the phone, Miss COLE found that it was being used by the aforementioned Cuban student from Fairleigh Dickinson University. The student was speaking in Spanish to an unknown individual. Miss COLE advised that she understands and can read Spanish; however, she can not speak or write the language very well. Miss COLE advised that what knowledge she has of the Spanish language was past on to her from her mother who speaks Spanish fluently, and also from having learned a limited amount of Spanish while attending school in France. Miss COLE advised that she overheard the Cuban student discuss with the unidentified party to whom he was speaking, a plot to assassinate President JOHN F. KENNEDY. Miss COLE advised that three names were mentioned during the discussion, one first name and two surnames. Miss COLE stated that she can no longer recall the names which were mentioned; however, she recalls that after the assassination of President KENNEDY the news media reported an interview by individuals who were investigating the assassination

of two individuals in Dallas, whose surnames were identical with the surnames mentioned in the telephone conversation which she overheard. Miss COLE advised that the surnames which were mentioned were Spanish surnames; however, they were not necessarily distinctive, being names something like GARCIA, RODRIGUEZ, et cetera. Miss COLE further advised that in addition to the three names which were mentioned, the City of Dallas and a book company located therein, were mentioned as the place where the assassination attempt would be made. Miss COLE stated at the time she understood the book company to which the student referred to, be a book publishing company. Miss COLE stated that the date of the assassination attempt was also mentioned and that there was some talk about a high Government official being involved who would afford aid and/or protection to the people involved in the assassination attempt. Miss COLE stated that the name of the Government official involved in the plot was never mentioned during the conversation. Miss COLE stated that it was also mentioned that the individual who would attempt the assassination was perfect for the job, in that he could never been linked with the other persons involved in the plot.

Miss COLE advised that that night she called the Federal Bureau of Investigation (FBI) in New York City, from the residence at Douglas College in New Brunswick. Miss COLE advised she recalls talking to a receptionist and being "placed on hold" for a period of time and that her allotted time expired and she hung up because she did not have enough change to pay the overtime charges. Miss COLE advised that she placed this call sometime between 11:00 p.m. and 1:00 a.m. Miss COLE advised that after returning to New York on Sunday, she called the FBI the following Monday from her parents home on Park Avenue in New York City. Miss COLE advised that on Monday she spoke to an employee of the FBI in New York, whose name and title she no longer recalls, and she related to the FBI employee exactly what she had heard, including the date, place, and names which were mentioned, as well as the identity of the Cuban student from Fairleigh Dickinson University. Miss COLE advised she could not recall having given her name, address, or telephone number to the FBI employee. Miss COLE stated that the only reason she called the FBI was because the student had

been so specific with regard to the details of the assassination plot. Miss COLE advised that as she had previously mentioned, she felt that while students often talked fervently with regard to their convictions, they seldom, if ever, took any action. In this instance, however, the conversation which she overheard was very specific and detailed and therefore, she was led to believe that the individuals involved were quite serious with regard to their stated intentions.

Miss COLE advised that until the interview on this date by Special Agent [redacted], she had not been recontacted by any investigative agency regarding this matter. Miss COLE advised that in spite of the successful assassination attempt with regard to President KENNEDY, she never recontacted any investigative or law enforcement agency with regard to the information which she allegedly furnished to the FBI prior to the assassination attempt.

Miss COLE was asked to attempt to recall any additional details which might assist the FBI in identifying the Cuban student whom she had previously mentioned, or the people with whom he was allegedly involved in the plot to assassinate President KENNEDY. Miss COLE advised that the student spoke for ten to fifteen minutes on the telephone and that he was in the middle of the conversation when she approached the telephone which he was using. She advised that from what she heard of the conversation, it sounded like both parties knew the details of the assassination plot. Miss COLE further advised that she knows the student to be of Cuban extraction because she can recognize both a Cuban and Puerto Rican Spanish accent and the student definitely spoke with a Cuban accent. With regard to the date and people in attendance at the Foreign Students Conference, Miss COLE advised that it was possibly the week of November 8, 1963. Miss COLE was the only representative from Hunter College and that the convention was attended by both student and non-student representatives. Miss COLE advised that only the designated delegates received free room and board at the conference and she has no idea as to whether or not the Cuban student from Fairleigh Dickinson University was a designated representative from his school.

Miss COLE furnished the following descriptive and personal data:

Name	ELIZABETH COLE
Address	680 Berdan Avenue Wayne, New Jersey
Telephone Number	(201) 696-7849
Race	White
Sex	Female
Date of Birth	January 25, 1947
Occupation	Student
Miscellaneous	Miss COLE advised she began her college education at the age of fourteen in France, transferred to Hunter College at the age of fifteen, thereafter transferring to McGill University in Montreal, Quebec, Canada, where she received her Bachelor's Degree, Master's Degree, and is currently pursuing a PhD in Genetics. Miss COLE advised she has completed all the requirements for the PhD with the exception of the writing of a Doctoral Dissertation, which she is about to complete.

UNITED STATES GOVERNMENT

Memorandum

1 - Mr. White
1 - Office, 7133
1 - Mr. Cunningham
1 - Mr. Kilty
1 - Mr. Mintz
Attn: Mr. Bresson

TO : Mr. White

FROM : Mr. M. E. Williams

DATE: January 24, 1975

Assoc. Dir. ____
Dep. AD Adm. ____
Dep. AD Inv. ____
Asst. Dir.:
Admin. ____
Comp. Syst. ____
Ext. Affairs ____
Files & Com. ____
Gen. Inv. ____
Ident. ____
Inspection ____
Intell. ____
Laboratory ____
Plan. & Eval. ____
Spec. Inv. ____
Training ____
Legal Coun. ____
Telephone Rm. ____
Director Sec'y ____

SUBJECT: FREEDOM OF INFORMATION ACT (FOIA) REQUEST OF HAROLD WEISBERG

Reference is made to Legal Counsel to J. B. Adams' memorandum of December 17, 1974, wherein it was recommended that the Laboratory Division review Weisberg's request for information concerning the assassination of President Kennedy and identify pertinent material available which may satisfy his request.

Weisberg indicates in his letter that he is interested in "the report itself" or "the complete report only"; however, since these are available to him at National Archives, his request must extend beyond these documents.

The material available in this case falls into three categories. 1. All of the background information and data accumulated during the actual examinations of the evidence specimens. 2. The compositional analyses arrived at from calculations of the raw data. 3. The final reports.

REC 44 62-109060-7156

Spectrographic analyses were conducted on bullets and/or fragments therefrom, lead fragments and several items of clothing. Examinations by neutron activation were conducted on the above-mentioned bullet and lead materials and on paraffin casts taken from the hands of Oswald. The results of all these examinations, with the exception of the neutron activation studies of the bullet and lead materials, have been included in the FBI Laboratory reports. The results of the neutron activation examinations of the bullet and lead materials are contained in a letter to J. Lee Rankin, General Counsel, The President's Commission, dated July 8, 1964. This letter and the FBI Laboratory reports are available in the National Archives.

7 FEB 12 1975

The Laboratory has on hand spectrographic plates and neutron activation analysis data which were used to calculate answers and make judgments regarding the compositions of the materials examined. As with most scientific data, interpretations of these plates and neutron activation analyses data will not stand alone but must be accompanied by technical

SEVEN

(CONTINUED - OVER)

62-109060

70 MAR 25 1975

51 FEB 25 1975

LEGAL COUNSEL

information which explains the parameters involved. Some of this explanatory information could be obtained by an inquirer from outside experts in emission spectroscopy and neutron activation analysis, but in the absence of detailed procedural data, the raw information is not subject to interpretation by non-technical individuals.

Notes were made at the time the examinations were conducted which contain the actual analyses including percentage of some elements present, relative concentrations of other elements and absence of detectable concentrations of elements. Some of these notes are physically in the Laboratory and others are assumed to be interspersed in the case file. The search for this material will be extensive and time-consuming. It is estimated that approximately 50 pages of technical notes may be involved. The costs of reproduction will vary according to the physical dimensions and nature of the material to be furnished.

If we are requested to produce copies of the actual spectrographic plates and neutron activation data, costs will be substantial because of the various formats involved. In the case of the spectrographic plates, the Special Photographic Unit of the Laboratory is investigating the possibility of accurately reproducing the plates so that the recorded information can accurately be assessed from the "duplication." Estimates of the costs involved in such reproduction; if they can be made, are not presently available. In the case of the neutron activation data, the total reproduction of this material will involve the equivalent of approximately 1,000 pages. Much more clerical time than that normally required to reproduce 1,000 pages will be involved due to the nature and size of the pages to be copied. It is not unreasonable to assume that the time involved would be approximately ten times greater than the time needed to reproduce 1,000 normal pages.

Accordingly, it will be necessary to evaluate each request in terms of the material to be furnished, and the overall costs will depend on what materials are to be reproduced in response to a specific request.

ACTION: None. For information only.

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI

DATE: 2/12/75

FROM : SAC, DETROIT (175-121) (C)

SUBJECT: ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY,
11/22/63,
DALLAS, TEXAS
MISCELLANEOUS - INFORMATION CONCERNING;
(OO: DALLAS)

Re facsimile teletype to Detroit from Bureau, 1/24/75.

Enclosed for the Bureau are four copies of an LHM dated and captioned as above reflecting interview with [redacted]

In referenced teletype, the Bureau requested the Detroit Office to interview [redacted] at [redacted] Sycamore Street, Detroit, due to the fact that [redacted] had contacted the Secret Service and related that he had information about the assassinations of ROBERT KENNEDY, JOHN F. KENNEDY, and Dr. MARTIN LUTHER KING.

On 1/29/75, the subject was interviewed as revealed in enclosed LHM. [redacted] has a severe mental disorder and cannot correlate time factors. He bases information on innocuous sightings of people walking by his house and a love affair he had with a black female which subsequently caused the riots in Detroit during the summer of 1967.

He does not appear to be violent, however, he has grandiose ideas about the world centering around him.

No further investigation is being conducted by the Detroit Division since [redacted] is obviously mentally sick. Secret Service Agent [redacted] was advised of the above circumstances.

REC 3 62-116060 7157

2 - Bureau (Enc.-4)
1 - Detroit
RLI/dmh
(3)

17 FEB 20 1975

APR 15 1975

SIX

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to File No.

Detroit, Michigan
February 12, 1975

Re: Assassination of President
John Fitzgerald Kennedy,
November 22, 1963,
Dallas, Texas

The following information was obtained from [redacted] Sycamore Street, Detroit, Michigan:

On January 29, 1975, [redacted] was interviewed by a Special Agent of the FBI at his address of [redacted] Sycamore, Street, Detroit, Michigan.

During the interview it was determined that [redacted] was severely [mentally deranged]. He talked about information he had concerning the assassination of Dr. Martin Luther King. He based his information on the fact that he was in love with a black female just prior to the summer riots in Detroit in 1967. He also stated that he sees people walking by his house who resemble elementary school friends and that somehow they tie in with the assassinations of Robert Kennedy and John Fitzgerald Kennedy.

Throughout the interview Mr. [redacted] could not correlate any time factors concerning the sightings or even his own life span within the last 30 minutes. He did not appear to be violent and continued to ramble on about inaccurate sightings and recent happenings that he apparently received through the news media.

ENCLOSURE 62-109060-7157

FBI

Date: 2/19/75

Transmit the following in _____ (Type in plaintext or code)

Via AIRTEL _____ (Priority)

TO DIRECTOR, FBI (62-109060)

FROM SAC, DALLAS (89-43) (P*)

ASSASSINATION OF PRESIDENT JOHN FITZGERALD KENNEDY, DALLAS, TEXAS, 11/22/63
MISCELLANEOUS - INFORMATION CONCERNING

OO - DALLAS

Enclosed for the Bureau is one copy each of the following two described newspaper articles:

(1) "The Dallas Times Herald", Dallas, Texas, of 1/28/75, captioned "GONZALEZ TO ASK REOPENING OF PROBE INTO DEATH OF JFK" which article indicates U. S. Representative HENRY B. GONZALEZ of San Antonio, Texas, plans to ask Congress to reopen the investigation in captioned matter.

(2) "Fort Worth Star Telegram", Fort Worth, Texas, of 2/5/75, captioned "DICK GREGORY OFFERS EVIDENCE KENNEDY KILLED IN PLOT BY CIA" which articles indicates Comedian Dick Gregory gave the Rockefeller Commission what he claimed was new evidence that President JOHN F. KENNEDY was the victim of a CIA Assassination plot.

The above described articles are furnished the Bureau for information.

ENCLOSURE

62-109060-7158

EX-110

5 FEB 24 1975

(2) - Bureau (Encls.2)
1 - Dallas
RPG:nlf
(3)

AIRTEL 2/26/75

70 MAR 25 1975

Special Agent in Charge

Sent _____ M Per _____

* U. S. GOVERNMENT PRINTING OFFICE : 1969 O - 348-086 (39)

(Mount Clipping in Space Below)

Gonzalez to ask reopening of probe into death of JFK

By FRANK TAGGART
Times Herald Washington Bureau

WASHINGTON — Rep. Henry B. Gonzalez of San Antonio will ask Congress to reopen the investigaton of the assassination of President John F. Kennedy.

Gonzalez in an interview with the Times Herald, said he feels a new investigation is justified in light of recent revelations that the Central Intelligence Agency was involved in legally questionable domestic operations.

"I am not going to say that the CIA itself was directly involved, but if there exists even a small possibility that CIA agents or individuals connected with the agency were involved, then that possibility should be thoroughly investigated because such individuals would be in a position to have carried out the assassination of the president," he said.

The 58-year-old House Democrat said he will introduce legislation within two weeks to establish a special congressional committee, similar to the Senate Watergate Committee to restudy the assassination of Kennedy and perhaps others, including Sen. Robert Kennedy and Dr. Martin Luther King Jr. and the attack on Alabama Gov. George Wallace.

"A large body of scholarly and responsible people throughout the country have raised serious questions regarding aspects surrounding the Kennedy assassination," Gonzalez said.

"The nation's psyche has been traumatized by a series of almost unbelievable events, beginning in 1963 with the assassination."

"I believe it is the duty of Congress to tell the American people the truth about these events," he said, adding that he felt Congress so far had failed to assume its moral obligation in this matter.

Gonzalez said he has not yet decided on the mechanics of his legislation.

He said it could take the form of a joint resolution in the House and Senate, a House bill with a number of cosponsors or a piece of legislation on his own. Gonzalez said that before deciding on the form he will meet with about 20 fellow House members who have shown some interest in his idea.

He said he thought an investigation of President Kennedy's Dallas death a decade after the fact could be conducted "more seriously, soberly and with less emotion" than the investigation by the Warren Commission, appointed by former President Lyndon B. Johnsin in November 1963.

The Warren report, pulished in 1964, concluded: "All of the evidence before the commission established that there was nothing to support the speculation that Oswald was an agent, employe or informant of the FBI, the CIA or any other governmental agency."

The report also stated: "In its entire investigation, the commission has found no evidence of conspiracy, subversion or disloyalty to the U.S. government by any federal, state or local official ... Oswald acted alone."

However, Gonzalez said he began to have "serious doubts" about the thoroughness of the Warren Commission's findings as the result of Watergate testimony regarding CIA-related activities.

The 12-year veteran of Congress said his concern about possible CIA and FBI involvement in the Kennedy assassination was heightened during the Watergate investigation when in August 1973 it was revealed that acting FBI Director L. Patrick Gray had destroyed official files and documents relating to Watergate.

By late 1973, Gonzalez said, he had come up with enough serious questions to convince him the investigation into Kennedy's death should be reopened.

(Indicate page, name of newspaper, city and state.)
"The Dallas Times Herald"
Dallas, Texas

Page 8 D

Date: 1-29-75
Edition:
Author:
Editor: Kenneth P. Johns
Title:

Character:
or
Classification:
Submitting Office: Dallas

☐ Being Investigated

7158

ENCLOSURE

(Mount Clipping in Space Below)

Dick Gregory offers evidence Kennedy killed in plot by CIA

WASHINGTON (AP) — Comedian Dick Gregory gave the Rockefeller Commission what he claimed Tuesday was new evidence that President John F. Kennedy was the victim of a CIA assassination plot.

Gregory's claim was based on amateur moving picture film of the assassination and on a newspaper photograph made soon afterward. Both have been examined previously by the Warren Commission, which conducted the official government investigation of Kennedy's death, and other investigators.

A spokesman for the Rockefeller Commission, created by President Ford to investigate allegations of domestic spying by the CIA, said "we will consider every bit" of evidence presented by Gregory and two associates.

Robert Groden, 29, who identified himself as a "photographer and photo optical specialist" working with Gregory, showed the moving picture film at a news conference. Ralph Schoenman, also a Gregory associate, displayed a still photograph which he said showed convicted Watergate conspirators E. Howard Hunt and Frank Sturgis at the scene of the assassination.

The moving picture consisted of film made by Abraham Zapruder as Kennedy was shot while his motorcade passed by the Texas School Book Depository in Dallas on Nov. 22, 1963, with some footage spliced in from film Groden said was made by another amateur, Orville Nix.

The Zapruder film shows Kennedy clutching at his throat and beginning to lean forward after he is first hit, when suddenly the right side of his head explodes and he rocks violently backward and to the right.

Groden said this clearly shows that Kennedy was killed by a shot from the front and not from the School Book Depository to the rear, as concluded by the Warren Commission. This argument has been made by critics of the Warren Commission report since it first appeared.

Groden also said the movie film showed a rifleman hiding in a clump of trees and another man pointing a rifle from a grassy knoll near where Zapruder was standing.

Other critics in the past have made the same argument in contending that Lee Harvey Oswald, identified by the Warren Commission as the sole assassin, did not act alone. Frames purportedly showing men in blow-ups from the movie film were indistinct and reporters at Gregory's news conference — as in the past — could not tell whether the film showed hidden men or shadowy effects caused by leaves and poor lighting in the jumpy amateur film.

The Warren Commission examined the original film. Time magazine owns the original Zapruder film and has never shown it publicly. Groden declined to say where he obtained a copy.

Schoenman said the still picture showed Hunt and Sturgis in custody with a third man shortly after the assassination. He said the third man is a "dead ringer" for an FBI sketch of a man wanted in the slaying of Martin Luther King.

Schoenman said the men he identified as Hunt and Sturgis were CIA operatives and were disguised as tramps.

"These pictures were made available to the Warren Commission and they attached no significance to them," said Lt. Wayne Posey of the Dallas Police Department's Intelligence Division. "We don't, either.

"They were bums, winos, taken to the county jail. They had been in a box car down by the Houston Street viaduct and somebody called the police on them ... I'm sure they were talked to and turned loose because there was nothing to hold them on."

A cult of amateur assassination specialists has grown up around material of the kind displayed by Gregory and his associates. Some assassination buffs have devoted most of their time to trying to prove that the Warren Commission report was a cover-up of a plot.

There are perhaps 100 such amateur investigators in the Dallas area as well as in other parts of the country. A meeting of such investigators, called by the Assassination Information Bureau, attracted about 1,000 to a program of films, workshops and panel discussions in an auditorium at Boston University last weekend.

(Indicate page, name of newspaper, city and state.)

"Fort Worth Star Telegram," Fort Worth, Texas

Page 13A

Date: 2-5-75

Edition: Morning

Author:

Editor:

Title:

Character:

or

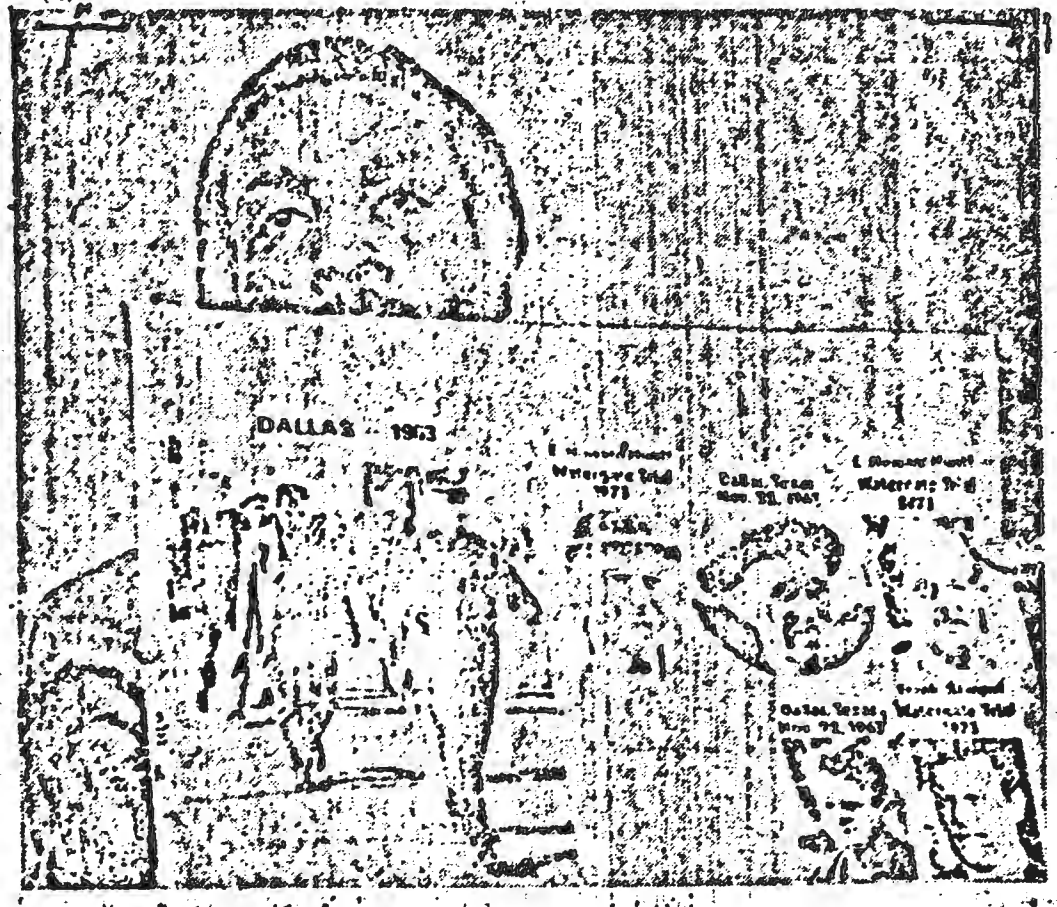
Classification:

Submitting Office: DALLAS

☐ Being Investigated

1-16 Golec 7158

ENCLOSURE



—Associated Press Wirephoto

THE EVIDENCE—Comedian Dick Gregory shows photos he says are new evidence John F. Kennedy was a CIA assassination plot victim.

HXPT013009-1/30/75-CHICAGO: Comedian & political activist Dick Gregory told a news conference 1/30 that he had evidence involving the CIA in possible illegal activity surrounding the assassinations of President John F. Kennedy & his brother, Robert. Gregory, who was accompanied by Ralph Shoenman, an author & teacher, released blown up photos of vagrants in police custody in Dallas at the time of the president's death. Two men appear to resemble convicted Watergate conspirators E. Howard Hunt & Frank Sturgis, Hunt, a former CIA agent, & Sturgis were both sent to prison for their part in the Watergate case. (UPI) (CHICAGO OUT)



investigating the CIA.

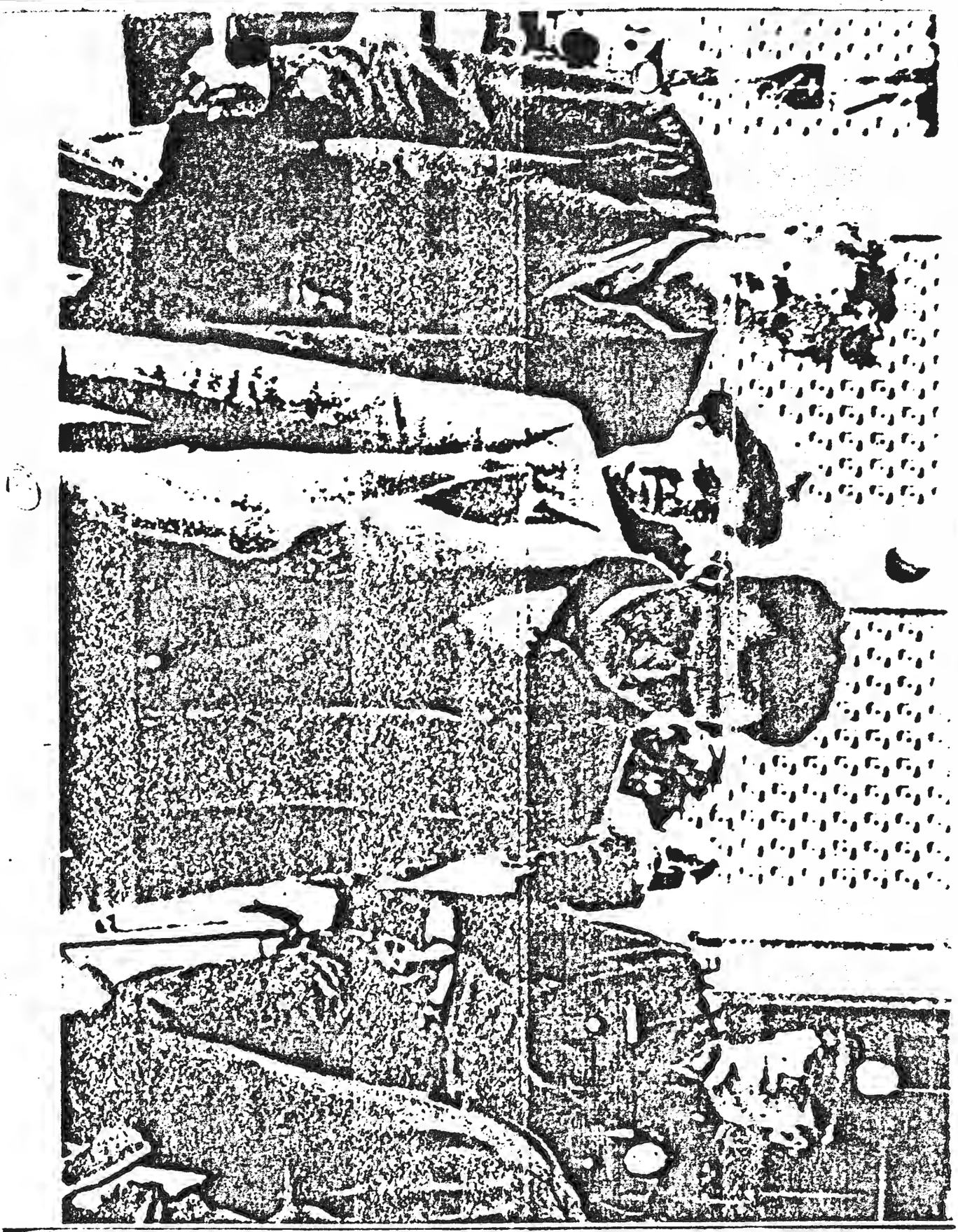
Gregory and Ralph Shoenman, an author and teacher, told a Chicago news conference earlier Thursday they had evidence involving the CIA in possible illegal activity surrounding the assassinations of President John F. Kennedy and his brother, Robert.

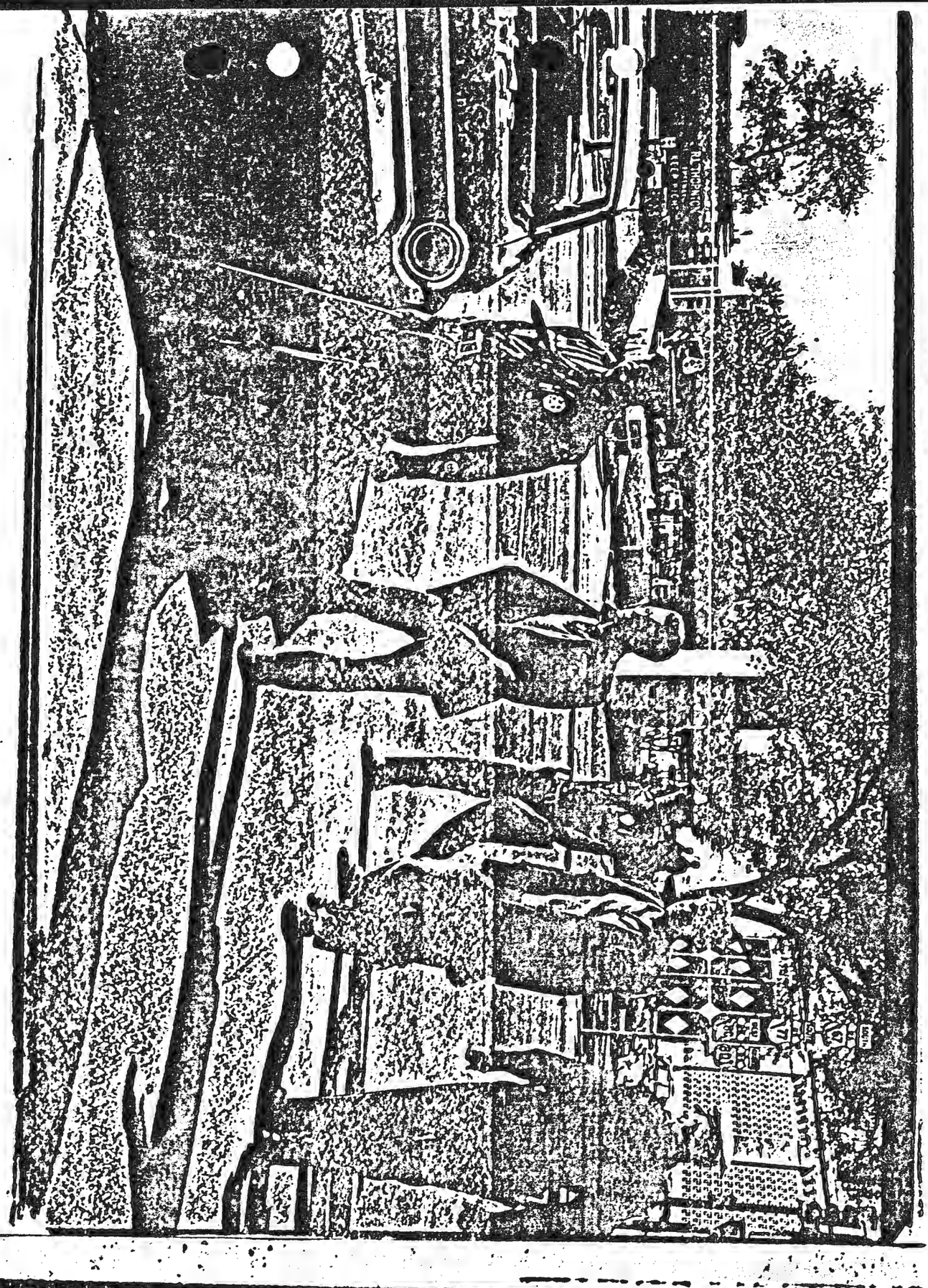
"I have in my possession evidence of value to a thorough investigation ... ," Gregory said. "I have evidence which places some of the same familiar persons in the Watergate scandal in Dallas at the time of President Kennedy's assassination. I also have evidence which raises serious questions about Sirhan Sirhan's role as the lone assassin of Senator Kennedy."

The men also released a medical report on Robert Kennedy's assassination which they said indicated Kennedy was shot by some one located in a different position than that occupied by the convicted Sirhan Sirhan.

duplicate to b-wire points

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JULY 1973 EDITION
GSA FPMR (41 CFR) 101-11.6

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI (62-109060) DATE: 3/1

FROM : SAC, NEW YORK (89-75)

SUBJECT: ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY
11/22/63, DALLAS, TEXAS
MISCELLANEOUS-INFORMATION CONCERNING
(OO:DL)

ReBuairtel to Dallas, 1/22/75.

The following files were checked in the NYO and they were negative concerning information supplied to the NYO by Miss ELIZABETH COLE or her mother, Mrs. ALEXANDER COLE, 1175 Park Avenue, NY, NY, prior to the assassination of JOHN FITZGERALD KENNEDY:

NY 89-75	Captioned as above
NY [redacted]	Cuban activities in the United States
NY [redacted]	Cuban matters and July 26th Movement
NY [redacted]	Cuban Revolutionary activities
NY [redacted]	Cuban Student Directorate
NY [redacted]	July 26th Movement-Fair Play for Cuba Committee

On 2/24/75, Secret Service Special Agent [redacted], NYO Secret Service, advised that the NYO of the Secret Service have no references concerning Miss ELIZABETH COLE or her mother, Mrs. ALEXANDER COLE of 1175 Park Avenue, NY, NY.

UACD, NY conducting no further investigation regarding captioned matter.

7/59

REC-3

6 MAR 3 1975

(7) Bureau
1- Dallas
1- Newark
1- New York

WEK:bah
(5)

6 APR 21 1975

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

5010-110

Febuary I4, I975

Dear Mr. Clarence M. Kelly,

As head of a important organization I realize can be a burden at times in one way or another, same as being president of the U.S. So I know you have'nt a easy job, and I thank you for taking time to read my letter.

I recently read a article in the newspaper where you stated the F.B.I. will not reopen the John F. Kennedy assasination case. I have been attracted to this case ever since I remember when my first grade teacher came running in my class yelling "Oh my God, the presidents been shot!" Since then I feel not all the pieces have been presented to the puzzle which has caused me to do some extensive researching. Why should the case be closed when there are still some questions to be answered? Is there some facts being withheld? If so why should'nt the public be informed. Is it some bomb shell that could corrupt us all?

In my researching I've come to a conclusion that a diabolical conspiracy against Kennedy was formed to kill him. They maybe thought they were doing the nation a great favor. This is just a opinion of mine but wether I'm on the right track, or maybe I said the most silliest absurb statement of the century, I feel it is up to the F.B I. to reopen the case and do a thorough, extensive investigation to determine what the black cloud is that surrounds the assasination.

I remember in I964 the Warren Report was set up to probe the tragic event. Well they came up with facts that seemed to satisfy the majority of the public, but what about us who didn't want to take what we were given? The small majority who wanted dwell deeper into the issue to find anything else that could be of some great significance to the case. Must we all be uninformed another II½ years? Can the real truth be detained much longer?

DEC 19 7160

There have been other versions of the assasination. More recently by civil rights leader Dick Gregory who undergone some experiments on a photograph of the assasination in New York City. Mr. Gregory and a counter part c'aim to have discoverdd new evidence that ties the C.I.A. with the assasination. Could this be the break through thats been long over due? Maybe the questions that hover above us will be answered at last.

FEB 28 1975

I trust the F.B.I. will abide by what it symbolizes and stamp out all the crime and corruption that we all fear. To make this a more safer, law abiding country and answer the still unsolved question marks that make men doubt each others words.

EX-110

Sincerily Yours,

Jeff Gardner

(a concerned citizen)

Jeff Gardner
2215 Germain
St. Paul Minn
55109

EX-110

62-109060-7160

REC-19

February 2[illegible], 1975

Mr. Jeff Gardner
2215 German
St. Paul, Minnesota 55109

Dear Mr. Gardner: [illegible]

In reply to your letter of February 14th requesting the FBI to reopen its investigation of the assassination of President John F. Kennedy, this Bureau conducted an intensive investigation in this case at the request of President Lyndon B. Johnson. The results were accurately reported to the President's Commission on the Assassination of President Kennedy which subsequently published a report which included some of the data and photographs we furnished. All available evidence and facts pointed to one conclusion--that Lee Harvey Oswald acted alone in this crime.

From time to time certain questions have been raised by individuals or organizations concerning certain aspects of this case and they have been thoroughly considered by the FBI. As I mentioned during my recent visit to Dallas, I do not feel the case should be reopened at this time.

Sincerely yours,

[illegible]

Clarence M. Kelley
Director

[illegible] 1975

1 - Minneapolis - Enclosure
1 - Dallas - Enclosure

Assoc. Dir. ___
Dep. AD Adm. ___
Dep. AD Inv. ___
Asst. Dir.: ___
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Files & Com. ___
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Laboratory ___
Plan. & Eval. ___
Spec. Inv. ___
Training ___
Legal Coun. ___
Telephone Rm. ___
Director Sec'y ___

NOTE: Bufiles contain no identifiable information concerning correspondent, a young man approximately 18 or 19 years of age, who feels the investigation of the assassination of President John F. Kennedy should be reopened.

JHS:bjy (5) [illegible]

[illegible] MAR 25 1975

MAIL ROOM ☑ TELETYPE UNIT ☐

GPO 551-546

The Attorney General

February 26, 1975

Director, FBI

1 - Mr. Gebhardt
1 - Mr. Wannall
1 - Mr. Moore
1 - Mr. Mintz

COMMISSION ON CIA ACTIVITIES
WITHIN THE UNITED STATES
REQUEST FROM DAVID W. BELIN,
EXECUTIVE DIRECTOR OF THE COMMISSION
ASSASSINATION of PRESIDENT JOHN F. KENNED

Attached is a copy of a letter dated February 6, 1975, addressed to me by David W. Belin, Executive Director, Commission on CIA Activities Within the United States, requesting this Bureau to make available to the Commission records relating to H. Norman Mailer and Frank Sturgis. Also attached is a copy of my reply to Mr. Belin.

The appropriate manner of channeling and responding to such requests from the President's Commission was discussed by Assistant Director John A. Mintz with Associate Legal Attorney General James A. Wilderotter who concurred in our view that they should be addressed to you and that your approval referred to this memo. Therefore, there is attached a memorandum which is responsive to the precise inquiry from the Commission. If you approve, we respectfully request that you transmit the memorandum to the Commission.

Enclosures (3)

1 - The Deputy Attorney General - Enclosures (3)
Attn: James A. Wilderotter
Associate Deputy Attorney General

62-109060-

NOTE: Based on memo Legal Counsel to Mr. Mintz, 2/24/75, captioned as above, JAM:mfd.

JAM:mfd
(9)

NOT RECORDED
136 MAR 4 1975

70 MAR 25 1975

MAIL ROOM TELETYPE UNIT

ENCLOSURE FILED IN CRIMINAL

1 - Mr. Nettles
1 - Mr. Wannall
1 - Mr. Moore
1 - Mr. Mintz

February 26, 1975

COMMISSION ON CIA ACTIVITIES
WITHIN THE UNITED STATES
REQUEST FROM DAVID W. BELIN,
EXECUTIVE DIRECTOR OF THE COMMISSION

The following information was extracted from the files of the Federal Bureau of Investigation (FBI) in response to the February 5, 1975, written request of the Commission on CIA Activities Within the United States for information pertaining to the relationship, if any, of E. Howard Hunt and Frank Sturgis to the events surrounding the assassination of President John F. Kennedy.

This possible connection has come to the attention of the FBI from several different sources and centers around a series of photographs taken in Dallas, Texas, on the day of the assassination. These photographs show three Caucasian males in the custody of Dallas Police Officers in the vicinity of the Texas School Book Depository (TSBD). The allegations have been that the three individuals are E. Howard Hunt, Frank Sturgis, and Thomas Arthur Vallee of Chicago, Illinois.

The photographs have been compared by the FBI Laboratory with known photographs of Hunt, Sturgis and Vallee, with a conclusion being reached that they are not the persons in the photographs.

The Dallas Police Officer leading the three individuals in the photographs has been identified as Bill Bass. He has advised that he and officers Roy Vaughn and Harvin Wise found the three men in a boxcar about a mile from the TSBD, took them to the Dallas County Sheriff's Office and turned them over to an unknown Deputy Sheriff. Bass did not know the names of the individuals and did not know if they were booked. Officers Vaughn and Wise advised likewise.

Investigation determined that on the day of the assassination a screening office was set up at the Sheriff's Office. Numerous persons were brought in, interviewed, and released without being booked. The jackets

WEN:wes
(8)

62-109060-

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

Assoc. Dir.
Dep. AD Adm.
Dep. AD Inv.
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Legal Coun.
Telephone Rm.
Director Sec'y

MAIL ROOM
TELETYPE UNIT

and photographs of the Identification Division of the Sheriff's Office were checked on each person booked on November 22, 1963. No record was found of anyone bearing a resemblance to the three individuals.

Dallas Police Captain Will Fritz (now retired), who was the local officer in charge of the assassination investigation, has no recollection of the three individuals. Additionally, upon viewing known photographs of Hunt and Sturgis, he advised he had no recollection of ever seeing or talking to either of them. Vallee's name was not familiar to him.

The records of the Dallas FBI Office contain no information identifiable with the three individuals.

E. Howard Hunt on October 17, 1974, advised that he recalls hearing about the assassination on his car radio immediately after leaving a Chinese grocery store in the area of 9th and E Streets, N. W., Washington, D. C., on November 22, 1963. He was with his wife, Dorothy, who is now deceased. Before returning home, they picked up their daughter, Kevan, at Sidwell Friends School, Wisconsin Avenue, N. W., Washington, D. C. He could recall no contact on that date with anyone, other than possibly a former neighbor. He advised that any personal records he may have had pertaining to November 22, 1963, were destroyed several years ago.

Hunt stated he was not involved in any way with the Kennedy Assassination, and in this regard, had filed a suit against the "National Tattler" claiming he was libeled in an article by that paper on March 31, 1974, which stated Hunt was at Dallas, Texas, on November 22, 1963.

Leave and travel records of Hunt have been checked at the CIA. They reveal that for the four week pay period ending November 23, 1963, Mr. Hunt took 11 hours sick leave and no annual leave. For the following four week pay period he took 3 hours sick leave and 27 hours annual leave. CIA is unable to further identify the times and dates of leave as specific Time and Attendance records were routinely destroyed three years after they were audited. Travel records reflected that Mr. Hunt conducted no official travel during November, 1963.

In 1963, Frank Sturgis was living in Miami, Florida, using the name Frank Fiorini. By his own admission, at that time he had been involved in Cuban revolutionary matters since 1958 and was at that time heading an anti-Castro organization called the Anti-Communist International Brigade.

COMMISSION ON CIA ACTIVITIES
WITHIN THE UNITED STATES

On November 26, 1963, an article appeared in the Pompano Beach, Florida, "Sun Sentinel" which stated that Frank Fiorini had said that Lee Harvey Oswald had telephone conversations with the Cuban government G-2 Intelligence during November, 1962. Fiorini was also quoted as saying that Oswald had contacted Miami-based supporters of Fidel Castro, had handed out pro-Castro literature in Miami in November 1962, and had tried to infiltrate Cuban anti-Castro organizations in Miami. Fiorini (Sturgis) advised FBI Agents on November 27, 1963, that he had no such information. He said he had been misquoted regarding some off-hand comments he had made. He said his comments were guesses, speculation and rumor based on information about Oswald carried in the press.

Other investigation was negative regarding any activity or presence of Oswald in Miami.

Regarding Thomas Arthur Vallee, about three days prior to November 2, 1963, the U. S. Secret Service (USSS) in Chicago, Illinois, received information that Vallee was in possession of large amounts of rifle ammunition, along with a collection of guns. In view of the fact that President Kennedy was due in Chicago for the Army - Air Force game on November 2, 1963, USSS Agents conducted additional investigation and determined that he possessed two M-1 rifles, a .22 caliber revolver and an assortment of ammunition. On November 2, 1963, Vallee was stopped by Chicago Police Officers for a traffic offense. A knife was found in his possession and he was charged with Assault With a Deadly Weapon. Three hundred rounds of ammunition were found in the trunk of his vehicle. Chicago Police Officers subsequently searched Vallee's home, 4614 North Paulina, Chicago, Illinois, and found additional ammunition.

Subsequent investigation by USSS verified that on November 22, 1963, Vallee was at work at IBP Printing Company, 625 Jackson, Chicago, Illinois, during the entire day. At that time and prior thereto, he had been working both days and nights rather diligently.

In view of the fact that the FBI Laboratory determined the photographs in question were not those of Pratt, Sturgis, and Vallee and since additional investigation supported this finding, Sturgis and Vallee were not interviewed concerning the aforementioned allegations.

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Gebhardt

DATE: February 19, 1975

FROM : J. E. O'Connell

1 - Mr. Gebhardt
1 - Mr. O'Connell
1 - Mr. Long
1 - Mr. Nettles
1 - Mr. Mintz
1 - Mr. Moore
1 - Mr. Wannall

SUBJECT: COMMISSION ON CIA ACTIVITIES WITHIN THE UNITED STATES
REQUEST FROM DAVID W. BELIN, EXECUTIVE DIRECTOR OF THE COMMISSION

Dep. AD Adm.
Dep. AD Inv.
Asst. Dir.:
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Spec. Inv.
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Legal Coun.
Telephone Rm.
Director Sec'y

Reference is made to the Legal Counsel memorandum of 2/13/75 to Mr. J. B. Adams pertaining to the 2/5/75 written request of the Commission On CIA Activities Within the United States for information pertaining to the relationship, if any, of E. Howard Hunt and Frank Sturgis to the events surrounding the assassination of President John F. Kennedy.

This possible connection has come to the attention of the FBI from several different sources and centers around a series of photographs taken in Dallas, Texas, on the day of the assassination. These photographs show three Caucasian males in the custody of Dallas Police Officers in the vicinity of the Texas School Book Depository (TSBD). The allegations have been that the three individuals are E. Howard Hunt, Frank Sturgis, and Thomas Arthur Vallee of Chicago, Illinois.

The photographs have been compared by the FBI Laboratory with known photographs of Hunt, Sturgis and Vallee, with a conclusion being reached that they are not the persons in the photographs.

The Dallas Police Officer leading the three individuals in the photographs has been identified as Bill Bass. He has advised that he and officers Roy Vaughn and Marvin Wise found the three men in a boxcar about a mile from the TSBD, took them to the Dallas County Sheriff's Office and turned them over to an unknown Deputy Sheriff. Bass did not know the names of the individuals and did not know if they were booked. Officers Vaughn and Wise advised likewise.

Investigation determined that on the day of the assassination a screening office was set up at the Sheriff's Office. Numerous persons were brought in, interviewed, and released without being booked. The jackets

CONTINUED-OVER

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REC-25 9161 5 MAR 1975

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46 MAR 12 1975

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70 MAR 25 1975

56 MAR 17 1975

ORIGINAL FILED IN

and photographs of the Identification Division of the Sheriff's Office were checked on each person booked on 11/22/63. No record was found of anyone bearing a resemblance to the three individuals.

Dallas Police Captain Will Fritz (now retired), who was the local officer in charge of the assassination investigation, has no recollection of the three individuals. Additionally, upon viewing known photographs of Hunt and Sturgis, he advised he had no recollection of ever seeing or talking to either of them. Vallee's name was not familiar to him.

The records of the Dallas FBI Office contain no information identifiable with the three individuals.

E. Howard Hunt on 10/17/74 advised that he recalls hearing about the assassination on his car radio immediately after leaving a Chinese grocery store in the area of 9th and H Streets, N. W., Washington, D. C., on 11/22/63. He was with his wife, Dorothy, who is now deceased. Before returning home, they picked up their daughter, Kevan, at Sidwell Friends School, Wisconsin Avenue, N. W., Washington, D. C. He could recall no contact on that date with anyone, other than possibly a former neighbor. He advised that any personal records he may have had pertaining to 11/22/63 were destroyed several years ago.

Hunt stated he was not involved in any way with the Kennedy Assassination, and in this regard, had filed a suit against the "National Tattler" claiming he was libeled in an article by that paper on 3/31/74 which stated Hunt was at Dallas, Texas, on 11/22/63.

Leave and travel records of Hunt have been checked at the CIA. They reveal that for the four week pay period ending 11/23/63 Mr. Hunt took 11 hours sick leave and no annual leave. For the following four week pay period he took 3 hours sick leave and 27 hours annual leave. CIA is unable to further identify the times and dates of leave as specific Time and Attendance records were routinely destroyed three years after they were audited. Travel records reflected that Mr. Hunt conducted no official travel during November, 1963.

In 1963, Frank Sturgis was living in Miami, Florida, using the name Frank Fiorini. By his own admission, at that time he had been involved in Cuban revolutionary matters since 1958 and was at that time heading an anti-Castro organization called the Anti-Communist International Brigade.

On 11/26/63, an article appeared in the Pompano Beach, Florida, "Sun Sentinel" which stated that Frank Fiorini had said that Lee Harvey Oswald had telephone conversations with the Cuban government G-2 Intelligence during November, 1962. Fiorini was also quoted as saying that Oswald had contacted Miami-based supporters of Fidel Castro, had handed out pro-Castro literature in Miami in November 1962, and had tried to infiltrate Cuban anti-Castro organizations in Miami. Fiorini (Sturgis) advised FBI Agents on 11/27/63 that he had no such information. He said he had been misquoted regarding some off-hand comments he had made. He said his comments were guesses, speculation and rumor based on information about Oswald carried in the press.

Other investigation was negative regarding any activity or presence of Oswald in Miami.

Sturgis was not interviewed regarding the Dallas photographs as he was on bond pending appeal of his sentence in the Watergate case and it was felt he might try to use any involvement with the FBI to attempt to mitigate that sentence.

Regarding Thomas Arthur Vallee, about three days prior to 11/2/63 the U. S. Secret Service (USSS) in Chicago, Illinois, received information that Vallee was in possession of large amounts of rifle ammunition, along with a collection of guns. In view of the fact that President Kennedy was due in Chicago for the Army - Air Force game on 11/2/63, USSS Agents conducted additional investigation and determined that he possessed two M-1 rifles, a .22 caliber revolver and an assortment of ammunition. On 11/2/63, Vallee was stopped by Chicago Police Officers for a traffic offense. A knife was found in his possession and he was charged with Assault With a Deadly Weapon. 300 rounds of ammunition were found in the trunk of his vehicle. Chicago Police Officers subsequently searched Vallee's home, 4614 North Paulina, Chicago, and found additional ammunition.

Subsequent investigation by USSS verified that on 11/22/63 Vallee was at work at IPP Printing Company, 625 Jackson, Chicago, during the entire day. At that time and prior thereto, he had been working both days and nights rather diligently.

On 2/18/75, Supervisor Leon F. Schwartz, Liaison, Intelligence Division, obtained permission from CIA Director of Security to disseminate information set forth in this memorandum pertaining to E. Howard Hunt's leave and travel records. Permission was obtained to paraphrase the information and to disseminate, if necessary, the CIA memorandum of 10/29/74, which contains the information.

RECOMMENDATIONS:

In accordance with instructions in referenced Legal Counsel memorandum, this information is being made available for consideration by the Director in discussing this matter with the Attorney General.

March 10, 1975

1 - Mr. B. J. White - Enc.
Atten: Mr. Kilty
1 - Mr. Mintz

Dr. John Nichols
School of Medicine
College of Health Sciences
and Hospital
The University of Kansas
Medical Center
Rainbow Boulevard at 39th
Kansas City, Kansas 66103

Dear Dr. Nichols:

I am in receipt of your undated letter and Western Union message dated February 19th regarding your request for information relating to investigation conducted with reference to the assassination of the late President John F. Kennedy.

With regard to your request described in item one of your letter and the request contained in the Western Union message, I wish to advise you we are presently in the process of attempting to identify and isolate laboratory data that would come within the scope of your request. I will be in communication with you further in connection with this portion of your request.

Concerning your inquiries set forth in your letter as items 2-5, the following information is being furnished:

REC-6 62-115530-7162

2. The firing pin in C. E. 139 (Serial Number CE766) is of one piece.

MAR 11 1975

3. The relative angle of rotation with respect to the various ejector, extractor and follower marks, if present, on exhibits CE543, CE544, CE545 and CE141 was not recorded by the FBI and is, therefore, not available from the FBI. These items are now located in the National Archives, Washington, D. C.

1 - The Deputy Attorney General - Enclosures (2)
1 - Bufile 62-115530 (FOI-REPLIES)
THD:law (8)

56 MAR 17 1975

Assoc. Dir. ___
Dep. AD Adm. ___
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Telephone Rm. ___
Director Sec'y ___

MAIL ROOM ☐ TELETYPE UNIT ☐

FOLLOW UP MADE

Dr. John Nichols

4. The heights of the seats on which the President and Governor Connally were sitting during the assassination and on which the "stand-ins" were seated during the on-site reenactment, were not recorded by the FBI and, therefore, are not available from the FBI. The President's Commission conducted this reenactment assisted in part by County Surveyor Robert H. West, 160 County Courthouse, Dallas, Texas. Information was furnished the FBI by the President's Commission concerning the relative heights of the "stand-ins" and especially the relative heights of the bullet impact points. All such information furnished and other details concerning this matter will be found in Volume V beginning on page 135 and, in particular, on page 166 of the Hearings Before the President's Commission on the Assassination of President Kennedy.

5. The horizontal firing angle (either with reference to the Texas School Book Depository Building or the Presidential limousine) was not recorded by the FBI and, therefore, is not available from the FBI. It should be noted that the tracing prepared by County Surveyor Robert H. West may fix the location of the Zapruder film frames you referred to from which the horizontal firing angle may be measured. This tracing is CE882 and is available for review and/or copying at the National Archives, Washington, D. C.

With regard to your request for information regarding appeal procedures under the amended Freedom of Information Act, I am enclosing the portion of a reprint of the Federal Register, Volume 40, No. 30, dated February 12, 1975, which sets forth the regulations under sections 16.6 and 16.7.

I trust the above will be of assistance to you.

Sincerely yours,

C. M. Kelley

Clarence M. Kelley
Director

Enclosures (2)

SEE NOTE PAGE THREE

Dr. John Nichols

NOTE: Correspondent has submitted previous requests under the FOIA prior to its amendment regarding the John F. Kennedy assassination. This reply has been coordinated with the Laboratory Division and the answers to correspondent's questions 2 through 5 were provided by Laboratory Division. Legal Counsel Division memorandum to Mr. J. B. Adams dated 2-26-75 requested Laboratory to provide proper response to Nichols' request and the location of any documentation necessary.

UNIVERSITY OF MISSOURI-KANSAS CITY

SCHOOL OF MEDICINE

KANSAS CITY, MISSOURI 64108

Dep. AD A
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Director Sec'

February 25,

U.S. Department of Justice
Office of the Director
Federal Bureau of Investigation
Washington, D.C. 20535

Dear Sir:

It is my understanding that the results of FBI spectrographic analysis tests performed on bullet fragments connected with the assassination of President John F. Kennedy have never been made public.

It is also my understanding that following completion of the tests(performed on Warren Commission Exhibits 399 and 842), the FBI informed the Warren Commission only that the bullet fragments were "similar in metallic composition".

Considering the importance of this test in determining or ruling out the existence of conspiracy in the J.F.K. case, I am writing to ask why the files relating to the spectrographic analysis have not been fully disclosed,

Sincerely,

L Kartsonis

Louis P. Kartsonis

REC-23
EX 104

The University of Missouri is an equal employment and educational opportunity institution.

REC-23 62-10[illegible] - 7163

March 14, 1975

EX 104

1 - Mr. Mintz

Mr. Louis P. Kartsonis
School of Medicine
University of Missouri
Kansas City, Missouri 64108

Dear Mr. Kartsonis:

This is in reply to your letter dated February 25th, which was received in my office on February 27th, regarding certain spectrographic analyses performed in connection with the investigation relating to the assassination of former President John F. Kennedy.

The results of these spectrographic tests are contained in an FBI report dated November 30, 1963, at Dallas, Texas, which has been furnished to the National Archives, and is available to the public. Additionally, the results are set forth in the report of the Warren Commission, Volume 5, pages 67, 69, 73, and 74, wherein it is specifically stated that the metal fragments were analyzed spectrographically and were found to be similar in composition.

We are therefore of the opinion there has been full disclosure of the results of our testing in this regard, and it is available to the public as outlined above.

Sincerely yours,

C. M. Kelley

Clarence M. Kelley
Director

MAILED 7
MAR 14 1975
FBI

1 - The Deputy Attorney General - Enclosure
1 - Bufile 62-115530 (FOI-REPLIES)

NOTE: Correspondent is not identifiable in Bufiles. Reply is based on memorandum dated 5/28/70 in the Weisberg case which involved a request for the same information and coordinated with Laboratory Division.

THB:mfd (8)

MAR 24 1975

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GPO 954-546

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Training ___
Legal Coun. ___
Telephone Rm. ___
Director Sec'y ___

Sec. of Police
Justice Dept.
Washington, D.C.

Mrs. Mimi Fisher
Sec 110-B RD #3
Indiana, Penna
15701

Dear Sir: 20013

Since I have seen a film clipping of Pres. Kennedy's Assassination, One shown of CBS-TV - Pittsburg News. I feel film clipping is enough to get kind re open the investigation. I feel the American people have not been told the truth or perhaps dont to believe less than what actually happened. This wont is my thought pricking and unsettle

The suggesting which I also feel advantageous to find the truth was to supoin documents from the Nurses.

REC-46 1-1 1065-11

EX 104

7 MAR 18 1975

Please let have Actions and Opinions on this subject. Pres Kennedy Killed?

Mrs Mimi Fisher

arb
3-17-75

R. E. FISHER
BOX 110, R. D. #3
INDIANA, PA. 15701

CORRESPONDENCE

REC-46 62-[illegible] 7164 March 17, 1975

EX-104

Mrs. R. E. Fisher
Route 3, Box 110
Indiana, Pennsylvania 15701

Dear Mrs. Fisher:

I received your letter on March 12th and, with respect to your inquiry regarding the assassination of President John F. Kennedy, this Bureau conducted an intensive investigation in this case at the request of President Lyndon B. Johnson. The results were accurately reported to the President's Commission on the Assassination of President Kennedy which subsequently published a report which included some of the data and photographs we furnished. All available evidence and facts pointed to one conclusion--that Lee Harvey Oswald acted alone in this crime.

From time to time certain questions have been raised by individuals or organizations concerning certain aspects of this case and they have been thoroughly considered by the FBI. I do not feel the case should be reopened at this time.

Sincerely yours,

C. M. Kelley

Clarence M. Kelley
Director

NOTE: Correspondent is not identifiable in Bufiles.

rkk:slr (3)

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Legal Coun. ____
Telephone Rm. ____
Director Sec'y ____

20 MAR 25 1975

MAIL ROOM ☒ TELETYPE UNIT ☐

GPO 954-546

13

Jim and Treva Bennett
22416 Berdon St.
Woodland Hills, Calif.
91364

22416 Berdon St.
Woodland Hills
Calif. 91364
March 6, 1975

Mr. Clarence Kelly, Director, F.B.I.
506 Old Office Building
Washington, D.C. 20535

Dear Mr. Kelly,

On March 5, 1975, my husband, mother and myself watched a television program in Los Angeles, K.C.O.P.-T.V., Channel 13, called "Both Sides Now". Previously confiscated films of the John Kennedy assassination were shown. After viewing the films we had no doubt that the Warren Commission Report is a farce. Key Harvey Oswald could not have

EX 104
REC-46
MAR 10 1975
CORRESPONDENCE

been the lone assasin as proclaimed. Two other men with weapons were visible. Also, we are convinced the mortal wounds were fired from the right front of the President, not from the Book Depository.

We feel that a new investigation should be put immediately underway.

What say you?

Sincerely,
Mr. & Mrs. James T. Bennett

Phone (213) 348-6703.

REC-48 62-[illegible]-7[illegible]

March 14, 1975

[illegible]

Jim [illegible]
Trotter [illegible]

Mr. and Mrs. James T. Bennett
22416 Berdon Street
Woodland Hills, California 91364

Dear Mr. and Mrs. Bennett:

In reply to your letter of March 6th requesting the FBI to reopen its investigation of the assassination of President John F. Kennedy, this Bureau conducted an intensive investigation in this case at the request of President Lyndon B. Johnson. The results were accurately reported to the President's Commission on the Assassination of President Kennedy which subsequently published a report which included some of the data and photographs we furnished. All available evidence and facts pointed to one conclusion--that Lee Harvey Oswald acted alone in this crime.

From time to time certain questions have been raised by individuals or organizations concerning certain aspects of this case and they have been thoroughly considered by the FBI. I do not feel the case should be reopened at this time.

Sincerely yours,

C. M. Kelley

Clarence M. Kelley
Director

NOTE: Bufiles contain no identifiable information concerning correspondents.

cam:vb (3)

MAILED
MAR 14 1975
FBI

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Director Sec'y ___

56 MAR 25 1975

MAIL ROOM ☐ TELETYPE UNIT ☐

GPO 954-546

UNITED STATES GOVERNMENT

Memorandum

TO : MR. CALLAHAN

DATE: 3/7/75

FROM : J. B. ADAMS

SUBJECT: FBI FILES

Associate Deputy Attorney General Wilderotter called last night to advise that during a breakfast with members of the House Judiciary Committee, Congressman Drinan advised the Attorney General that he recalled seeing a statement as far back as 1968 to the effect that the FBI had six and one-half million files and, therefore, it was inconceivable to him that the number being given out today by the FBI remains the same. The Attorney General is desirous of any information we can shed on this.

Mr. Wilderotter also advised that an investigator for the Rockefeller Commission, who is inquiring into allegations that CIA may have been responsible for assassinations, contacted Wilderotter to gain access to the raw FBI files documenting our letterhead memorandum recently sent over on the aspects of the Kennedy assassination. Mr. Wilderotter advised the investigator that the Department does not desire to make such raw data available and the investigator indicated he was primarily interested in the Laboratory technique utilized in determining that certain photographs taken in Dallas, Texas, were not those of E. Howard Hunt and Frank Sturgis. I advised Mr. Wilderotter that we would prepare a supplemental letterhead memorandum explaining how this conclusion was reached.

Mr. Mintz was advised of these two requests and is having appropriate communications prepared by the Divisions involved.

ACTION:

None. Information only.

JBA:ams
(7)
1 - Mr. Jenkins
1 - Mr. Gebhardt
1 - Mr. McDermott
1 - Mr. Mintz
1 - Mr. White

6 MAR 2 1975

APR 04 1975

HOWARD W. CANNON, NEV., CHAIRMAN
CLAIBORNE PELL, R.I.
ROBERT C. BYRD, W. VA.
JAMES B. ALLEN, ALA.
HARRISON A. WILLIAMS, N.J.
MARK O. HATFIELD, OREG.
HUGH SCOTT, PA.
ROBERT GRIFFIN, MICH.
WILLIAM McWHORTER COCHRANE, STAFF DIRECTOR
CHESTER H. SMITH, CHIEF COUNSEL
LARRY E. SMITH, PROFESSIONAL STAFF MEMBER (MINORITY)

United States Senate

COMMITTEE ON
RULES AND ADMINISTRATION
WASHINGTON, D.C. 20510

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Inspection ___
Intell. ___
Laboratory ___
Legal Coun. ___
Plan. & Eval. ___
Spec. Inv. ___
Training ___
Telephone Rm. ___
Director Sec'y ___

March 13, 1975

Honorable Clarence M. Kelley
Director
Federal Bureau of Investigation
Department of Justice
Constitution Avenue and 10th Street, N. W.
Washington, D. C. 20530

Dear Mr. Kelley:

I have received several inquiries from my constituents as a result of their recent viewing of the so-called Zapruder film dealing with the assassination of President John F. Kennedy. My constituents inform me that the film was aired on a recent program entitled "Good Night America," produced by the American Broadcasting Company.

In each case, my constituents have raised questions relating to the cause of death of the late President, particularly in regard to the "single assassin" explanation of the Warren Commission's final report. Furthermore, my constituents tell me that during the program which carried the film, allegations were made to the effect of official Government agencies withholding and/or suppressing information pertaining to the assassination.

Although I did not view the program myself, I suspect your agency has received numerous inquiries pertaining to the program, the allegations about Government handling of the assassination investigation, and about the actual meaning of the film.

Inasmuch as I expect more inquiries to be directed to me, I will appreciate your expeditious attention to this letter, believing that you will wish

EXP. PROC.
MAR 14 1975

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REC-19 62-[illegible]-7161

APR 2 1975

MAR 14 1975

CORRESPONDENCE

to lay to rest any public disquiet which may have resulted from the ABC program.

With kindest regards, I am

Sincerely,

James B. Allen

(JAMES B. ALLEN)

JBA/gvh

REC-19 62-109060-7166

EX-[illegible]

March 24, 1975

Honorable James B. Allen
United States Senate
Washington, D. C. 20510

1 - Mr. Gebhardt
1 - Mr. O'Connell
1 - Mr. Nettles
1 - Mr. Mintz
1 - Mr. Moore

Dear Senator Allen:

Reference is made to your letter of March 13, 1975, regarding the assassination of President John F. Kennedy.

Your suspicions are indeed correct about the FBI receiving numerous inquiries relating to the recent showing of the Zapruder film on the television program "Good Night America."

As I am sure you are aware, at the direction of President Johnson the FBI conducted a prompt, intensive, objective and thorough investigation of the assassination of President Kennedy. The results of this investigation were fully and accurately reported and furnished to the President's Commission on the Assassination of President Kennedy (Warren Commission).

MAILED 5
MAR 25 1975
FBI

You may rest assured that the FBI has not withheld or suppressed information pertaining to the assassination at any time.

The Zapruder film was one of the many items considered by the Warren Commission. After a review of all available evidence, it was the conclusion of the Commission that Lee Harvey Oswald acted alone in committing this crime.

I trust this reply will be of assistance to you.

Sincerely yours,

C. M. Kelley

Clarence M. Kelley
Director

Assoc. Dir. ____
Dep. AD Adm. ____
Dep. AD Inv. ____
Asst. Dir.: ____
Admin. ____
Comp. Syst. ____
Ext. Affairs ____
Files & Com. ____
Gen. Inv. ____
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Director Sec'y ____

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SEE NOTE PAGE 2.

APR 2 1975

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Honorable James B. Allen

NOTE: In letter of 3/13/75 Senator Allen (D - Alabama) advised he had received several inquiries from constituents regarding the recent showing of the Zapruder film on ABC-TV. The Zapruder film is the amateur movie made by Abraham Zapruder, a Dallas, Texas, dressmaker, of the assassination of President Kennedy. He stated his constituents had raised questions regarding the cause of death explanation of the Warren Commission. The constituents also raise the point of allegations in the TV program to the effect that official Government agencies withheld or suppressed information pertaining to the assassination. No specific questions are asked in the letter. Mr. Kelley wrote, "Ack. pls., K" on the letter. This was referred to the General Investigative Division by Office of Legal Counsel for response. This letter to the Senator advises him that the FBI conducted a thorough investigation of the assassination and made a full report to the Warren Commission which reached a conclusion that Lee Harvey Oswald acted alone. The Senator is assured that the FBI has not suppressed any information. This has been coordinated with SA Richard C. Dennis, Jr., of the Office of Legal Counsel.

JAMES H. LESAR
ATTORNEY AT LAW
1231 FOURTH STREET, S. W.
WASHINGTON, D. C. 20024
TELEPHONE (202) 484-6023

?16

January 29, 1975

Mr. Laurence Silberman
Acting Attorney General
U.S. Department of Justice
Washington, D. C. 20530

Dear Mr. Silberman:

As you know from my January 15th letter, which you have not yet answered, I represent Mr. Harold Weisberg.

Beginning in 1969, when he wrote then-Attorney General John Mitchell, Mr. Weisberg has several times inquired whether there has been surveillance on him or other intrusions into his life by the Federal Bureau of Investigation. Mr. Weisberg specifically stated that reports had been made to him that the FBI was defaming him. Mr. Mitchell never denied this. Mr. Hoover never responded.

The Washington Post recently stated that the FBI had conducted surveillance on some Warren Commission critics. The Post also stated that the FBI had given some of its information and materials on Warren Commission critics to former Congressman Hale Boggs.

Mr. Weisberg is perhaps the best known Warren Commission critic. On his behalf, I request that you disclose whether the FBI's surveillance of Warren Commission critics included him. I also ask that you specifically state whether or not the FBI provided Congressman Boggs or any other person with materials or information on or about Mr. Weisberg.

Because there may be some overlap here, I further request that you respond fully and completely to the specific inquiries which Mr. Weisberg directed for former Attorney General John Mitchel

I would appreciate your prompt reply to these requests.

Sincerely yours,

Jim Lesar

Jim Lesar

ENCLOSURE

ENCLOSURE 60 [illegible]

February 27, 1975

1 - Mr. Mintz
1 - Mr. McCreight
1 - Mr. Bresson

James H. Lesar, Esq.
1231 Fourth Street, S.W.
Washington, D.C. 20024

Dear Mr. Lesar:

This is in reply to your letter of January 29th, addressed to Mr. Laurence Silberman of the Department of Justice, and thereafter referred to me and received on February 10th.

I wish to state in response to your inquiry that FBI records contain no information to indicate your client, Mr. Weisberg, has been the subject of FBI surveillance. These records further do not disclose any reference to dissemination by us of information concerning him or his criticism of the Warren Commission along the lines you indicated in your letter.

With regard to your request for response to letters directed by Mr. Weisberg to former Attorney General Mitchell, our records reveal a copy of a letter dated March 12, 1969, had been referred to us, it having been acknowledged by the then Assistant Attorney General Will Wilson under date of March 13, 1969. The charges contained in the letter were general and made no specific allegations, and there is no record of further action being taken.

In a second letter, located in files of the Department of Justice under date of March 22, 1971, Mr. Weisberg alleged in nonspecific terms that he had suspicions of being "tailed" in Frederick, Maryland. The records contain no reference to this letter.

1 - The Deputy Attorney General - Enclosure

1 - Public Affairs Officer (with incoming)

TJEbmld
(6)

See Note Page 2

ENCLOSURE

ENCLOSURE

James H. Lesar, Esq.

There are five only two pages of [illegible] by Mr. Weisberg directed to former Attorney General Mitchell regarding alleged "data [illegible]" that we have been able to locate. As stated by me above, our files contain absolutely no information to substantiate these allegations.

I trust the above will be of assistance to you and Mr. Weisberg.

Sincerely yours,

Clarence M. Kelley
Director

NOTE: Weisberg has recently reinstituted his FOIA request for information regarding the Kennedy assassination related Laboratory work, and the matter is currently in a pending status. Attorney Lesar has been representing him in this regard in the past.

Review of Weisberg's main files and all references since 1969 disclosed no evidence of him being subject of a surveillance nor indication of any dissemination being made along lines he makes reference to.

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. J. B. Adams

DATE: 3/24/75

FROM : Legal Counsel

SUBJECT: FREEDOM OF INFORMATION ACT (FOIA) REQUEST OF HAROLD WEISBERG

dated March 13th

By memorandum from Legal Counsel to Mr. J. B. Adams under the above caption it was advised discussion with Mr. Weisberg concerning his request for laboratory data connected with the John F. Kennedy assassination investigation was planned for March 14th. This is to advise of the results.

Mr. Weisberg was accompained by his attorney, James H. Lesar of Washington, D. C. Representing the FBI were SA Thomas H. Bresson of the FOIA Unit, Legal Counsel Division, SAs Robert A. Frazier and John W. Kilty of the Laboratory Division.

This discussion resolved what apparently was Mr. Weisberg's confusion as to what data, other than that which had been furnished to the National Archives, was in existence and in possession of the FBI. After the data was generally identified for him, and samples shown to him, he made specific requests for spectographic and neutron activation material which consists of tables and pages with results of readings, representing metal fragments from the body of President Kennedy and the body of Governor Connolly. Additionally requested were spectographic analyses data of the areas on the clothing of President Kennedy and Governor Connolly where the bullets may have passed. Weisberg also requested the available material relating to examination of the windshield of the President's automobile, and examination regarding metal fragments from the President's automobile. Additional request was made for laboratory examination data which may be available regarding testing done on a curbstone near the crime scene.

Enc.

ENCLOSURE

1 - Mr. Adams - Enc.
1 - Mr. White - Enc.
1 - Mr. Mintz

NOT RECORDED
APR 17 1975

APR 21 1975

CONTINUED - OVER

ORIGINAL FILED IN

Both Mr. Weisberg and Mr. Lesar indicated this would be completely satisfactory to them and would cover the scope of the current FOIA request with regard to laboratory data in the Kennedy assassination case.

With regard to the above request, the documents proposed for release are not considered to be material that would be subject to withholding under the current FOIA. It is estimated it will contain approximately 20-30 copied pages, and a preliminary estimate of a full-work day to search and compile. We would be authorized to charge ten cents per copy for reproduction, and $2 per quarter hour for search and production of the documents, this being the fee specified in regulations for a non-clerical type search.

Discussion thereafter continued with SA Bresson regarding FOIA matters generally and specifically the pending civil suit. Mr. Lesar stated that receipt of the requested documents would moot the civil litigation with regard to laboratory documents.

Mr. Weisberg then attempted to formulate some additional FOIA requests regarding the Kennedy assassination investigative file regarding events in Dallas and investigation of Lee Harvey Oswald. He also indicated he plans to pursue further the Martin Luther King assassination case, including laboratory findings, and some general data of historical interest to him that he claims he furnished the FBI many years ago. Mr. Weisberg was informed, and he understands, that any future FOIA request will have to be submitted in writing in accordance with the Departmental regulations.

Mr. Lesar made reference to a letter we sent to him dated 2/27 in response to his letter of 1/29 which he directed to the then Acting Attorney General Laurence Silberman. He felt the reply was not responsive to his question, and that it particularly did not address the issue as to whether information concerning Mr. Weisberg had ever been furnished to former Congressman Hale Boggs. He advised he would pursue this matter further indicating he did not feel a reply based mainly on the search of records was sufficient in this case.

The correspondence to which Lesar refers, copy attached, contained in addition to the Boggs question, a request for reply to what was identified as previously unanswered inquiries as to whether Weisberg was subject to surveillance or other intrusions into his life by the FBI. The reply, copy attached, was based on review of the Weisberg file and references in indices to him, and advised generally that FBI records contained no information to substantiate this.

During this conference Mr. Weisberg specifically asked if "Director Hoover's confidential files" were searched and the reply was that as far as is known, the appropriate files that would reflect the type of requested information, if it existed, were checked and no information to substantiate the allegations was found. Mr. Lesar asked if any contact was made with the son of Hale Boggs to verify this, and he was answered that we did not.

The "OC" file was not checked initially, but on 3/14 it was determined there is no reference to Weisberg contained therein.

Results of this discussion, insofar as the pending civil litigation is concerned was furnished to Mr. Jeffrey Axelrad of the Civil Division of the Department on 3/14 and to Assistant United States Attorney Michael Ryan, who is handling the case. Mr. Axelrad was advised we still had not received a copy of this complaint, and he stated he would insure we would receive it promptly.

RECOMMENDATION:

The requested documents be processed by Laboratory Division and coordinated with FOIA Unit for determination of charges and release.

SUMMARY FROM FRENCH

ASSASSINATION OF PRESIDENT JOHN F. KENNEDY

The envelope - marked "Personal" - is addressed to:

The Director of the FBI
9th Street and Pennsylvania Ave., N.W.
Washington, D.C.
20535
(U.S.A.)

The envelope is postmarked: Boulogne-Billancourt, March 13, 1975.

The return address reads: 86 rue d'Agnesseau, 92100 Boulogne-Billancourt, FRANCE.

* * *

This is a long, rambling and somewhat incoherent letter to the Director of the FBI, dated March 14, 1975, from Mr. Paul Gluc. The writer says that the FBI is the agency investigating the assassinations of President Kennedy, his brother Robert Kennedy and Martin Luther King. He claims that "the CIA, or rather CIA agents relieved of their duties by Kennedy as a result of the Bay of Pigs incident, were responsible for Dallas and Watergate."

"Bolshevism and the roots of Nazism," he says, "are identical, in the interpretation of KARL MARX."

Although "I am not a cop," he says, "I am anxious to pay tribute to John Edgar Hoover, posthumously." The writer of the letter claims that "Allen Dulles apparently belonged, like J. Edgar Hoover, to a small group of untouchables." The "Bay of Pigs incident," Paul Gluc says, "made Allen Dulles vulnerable...."

REC 44 62-[illegible] 7167

SUMMARIZED BY: [redacted]:sla

March 24, 1975

CORRESPONDENCE

NOT RECORDED
15 APR 1 1975

The writer claims that Otto SKORZENY was an agent in the assassination of President Kennedy in Dallas, and says: "Mr. Director, only you can clear Otto Skorzeny of the guilt of being (an) agent in the Dallas operation with (the) passive complicity of Allen W. Dulles."

"I end here," he says, "with the hope of seeing the Dallas enigma solved," and extends best regards.

The signature is illegible.

Enclosed with the letter are two newspaper clippings.

The first one is from the Wednesday, March 12, 1975, (No. 292) issue of "Quotidien de Paris," and is entitled: "The CIA Outside of the Law." The second one, pasted on the reverse side, is from the March 12, 1975, issue of "Le Monde" and bears the title: "The CIA on Trial." Both newspaper clippings point out the fact that the CIA has, in recent times, been accused of getting itself involved in matters which it should never have gotten itself into; one very shining example of this is that the CIA has files on thousands of U.S. citizens, whereas the real job of the CIA is to work in territories outside of the United States proper. Although Congress is already conducting investigations of CIA activities on U.S. territory, nonetheless, President Ford will, in all likelihood, soon have to open up a new investigation on the intelligence-gathering agency..."in order to restrict its responsibilities." The CIA, consequently, "must now be prepared for a large-scale reform."

M. Gilles Tenil
26 rue d'Aguesseau
92100 Boulogne Billancourt
FRANCE

Boulogne Billancourt, le 11 mars

A Monsieur le Directeur du F.B.I.

Vous êtes investigateur des Assassinats du Président Kennedy de Robert Kennedy et de Martin Luther King. La CIA non officielle (on plus exactement les agents de la CIA renvoyés par le Président Kennedy à la Baie des Cochons) ont créé Dallas et le Watergate avec pour principal agent Otto Skorzeny (preuves par lui même).

Pour m'expliquer, j'ai joint le Gendarme et mon Gêné en K G B

A 5 ans, j'ai vu une Habitude de mon père militaire à titre de Gendarme (non ne pas avoir de la même d'un SS en Avril 1943

A 29 ans j'étais courant appelé dans le drapeau français en Algérie, j'ai fait comme les autres et j'ai perdu mon fils Benjamin.

Je ne suis pas "fêté" et je tiens à rendre l'honneur à John Edgar Hoover et être 1er fêté du monde au titre posthume

En lisant en Version Française le livre d'Otto Skorzeny dans "Guerre Inconnue" chez Albin Michel à la page 195 (en italique sans commentaire et son explication

"Pour en terminer avec LONGSAUT je dirai à Monsieur DIRENTI qu'il fut sans doute prévenu par l'ORCHESTRE ROUGE SUISSE de ma visite à l'O.K.W. on sait aussi pertinemment, que j'avais jugé le raid irréalisable, mais l'occasion était trop belle pour ne pas "CHAMBRER" Roosevelt en feignant de le plaindre Churchill se trouvant alors même camp Allié"

(1) Ses Racines au Niger (Haoussa) [illegible]
cause d'investigation de KARL MARX Voir l'exemple entre RFA et RDA
d'où en peut conclure la véritable raison scientifique et celui d'Otto SKORZENY

" Il est naturel - enfin que l'imagination [illegible] au moment [illegible] 1965 - 1968 (2), divers scandales perturbant le haut sommet du renseignement occidental, avec épilogue de suic et revelations d'un ancien fonctionnaire des services secrets françai PHILIPPE THYRAUD DE VOSJOLI, sur le réseau secret gaulliste SAPHI Cette affaire SAPHIR fut si grave que le Président Kennedy écrivit personnellement au Général De Gaulle pour l'alerter Il était donc impératif que le Bon Berre et les service spéciaux des Secrets avaient tout de même empêché l'ASSASSINAT AU SOMMET" et sauve la Vie du chapitre des démocraties Franklin D Roosevelt Si Staline demeure n'avait été seul - mais que la 3ème fois Président des [illegible] - - - etc "

Otto Skorzeny ne cache pas sa présence au B. Berre (directeur du NKVD) du Allen W Dulles (futur directe de la CIA) aux pages 52-94-130-124-295-263 281-419

N'oublions pas qu'Allen W Dulles a été directeur d. l. a fait travailler pour Howard Lee H Oswald en U.R.S.S. en 1961 pour un travail américain (Document N... du Rapport de membre de la Commission Warren) Allen W Dulles a lan Volontairement un délimoire MORAL contre Lee Harvey Oswald Pourquoi Lee ? pour une autre Explication ! Le SOSIE

Continuons le livre de Victor Marchetti et John D M. "La CIA et le culte du renseignement" chez Robert Laffont à la Page 50 - 51

"Pouvoir briser la CIA en mille morceaux et les disperser aux quatre vents" Mais la colère du Président (Kennedy) a pour cause bien plus le fait que la CIA n'était pas parvenu à se débarrasser de Castro, que la désapprobation pour ces procédés et méthodes. Ses crédits ne furent pas réduits et la haute de l'échec de la "Baie des Cochons" et ses opérations subséquentes -

(1) En 1963 - 1965 Kennedy [illegible] [illegible] [illegible]

(...) La Baie des Cochons marqua la [illegible]
CIA (du frère Kennedy revenu [illegible] de ses principa
dirigeants de la CIA au plus haut Niveau) Alors que quelq
mois plus tôt, Allen Dulles semblait appartenir au mê
titre que J. Edgar Hoover, à la catégorie des chefs de se
inamovible, l'opération de la Baie des Cochons l'a
rendu vulnérable par hasard ou "découvert" en Sec Gen
en U.R.S.S

La Guerre froide s'explique par la conclusion de son
livre "la Guerre inconnue" à la page 412
"La Guerre n'est que la continuation de la poli
par d'autres moyens"

Si ces moyens ont été profondément modif
par l'existence de l'arme atomique, l'opération qui
reste la continuation la plus évidente, l'expression la
plus directe de la politique. Dans la plupart des
cas, elle concerne en réalité beaucoup plus la psy
ou l'économie que la science militaire proprement
dite.

Qu'on le veuille ou non, un nouveau type de combat
est né. C'est un aventurier organisé : il tient du Guerri
de l'homme de science et d'imagination, de l'écono
et du psychologue

Il peut surgir de l'eau ou tomber du ciel, se pro
pacifiquement dans les rues de la capitale de l'ennemi, ou
même lui donner des ordres

En réalité, la guerre lui
paraît être un anachronisme. C'est en vain que
les Généraux "Conventionnels" le considèrent avec
une suspicion bien compréhensible

Il existe et ne peut plus disparaître

Officier de Carrière ; et c'est lui qui constitue la véritable âme secrète de la Police

Mr Le Directeur du F.B.I. nous prouve sur ce point que Otto Skorzeny a été l'agent de l'opération de Dallas avec comptable passive d'Allen W Dulles

Je laisse à ceci en espérant vous l'enquête de Dallas résolu. Veuillez agréer Mr Le Directeur du F.B.I mes respectueuses salutat.

P.S. Merci pour les précisions fournies au sujet du Watergate pour être classé le secret des archives et non l'assassinat du Président Film de Fred Zinnemann réalisation aussi du Train n'aura lieu pas -

Classé est signé par Edward Fox, Michael Auclair etc - -

Merci

DO NOT DETACH

No Acknowledgment Warranted

Bufiles indicate 2 prior incomings from Gluc dated 11-24-66 & 3-8-67 concerning the Bureau's investigation of the assassination of John F. Kennedy. These contain several sarcastic and nonsensical remarks. No Acknowledgment eas made of either of them.

FILE

62-109060-4280 4300, 4774

March 21, 1975

1 - Mr. White
Atten: Mr. Kilty
1 - Mr. Mintz

James H. Lesar, Esq.
1231 Fourth Street, S. W.
Washington, D. C. 20024

Dear Mr. Lesar: Assassination of Pres. John F Kennedy

I am enclosing 17 pages of material described in my letter to you dated March 26th, plus five pages of documents relating to the curbstone examination which your client, Mr. Weisberg, has requested.

Sincerely yours,

2 - ENCLOSURE

Clarence M. Kelley
Director

Enclosures (6)

1 - Honorable Michael Egan
Assistant United States Attorney
Room 3421
United States District Courthouse
3rd Street and Constitution Avenue, N. W.
Washington, D. C. 20001
1 - The Deputy Attorney General
Attention: Sue Hammer
1 - Assistant Attorney General
Civil Division, Attention: Mr. Aylward
1 - Bufile 62-115530 (EOI-PENDING)

62-116395-

15 APR 3 1975

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NOTE NEXT PAGE

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Telephone Rm. ___
Director Sec'y ___

James H. Lesar, Esq.

NOTE: We have previously had approved the release under the FOIA of the 17 pages of material which relate to spectrographic and neutron activation examination conducted in the assassination of the John F. Kennedy case. This material will be personally delivered to Mr. Lesar, who will appear at the FOIA Office on March 31st.

FD-36 (Rev. 5-22-64)

FBI

Date: 3/6/75

Transmit the following in _____ (Type in plaintext or code)

Via AIRTEL _____ (Priority)

Dep. A.D.-Inv.
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Admin.
Comp. Syst.
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Plan. & Eval.
Spec. Inv.
Training
Legal Coun.
Telephone Rm.
Director Sec'y

TO DIRECTOR, FBI (62-109060)

FROM SAC, DALLAS (89-43) (P*)

ASSASSINATION OF PRESIDENT JOHN FITZGERALD KENNEDY, DALLAS, TEXAS, 11/22/73
MISCELLANEOUS - INFORMATION CONCERNING

OO - DALLAS

Re Dallas telephone call to Supervisor WILLIAM EARL NETTLES, JR., 3/6/75.

Enclosed for the Bureau is one copy each of the following five (5) described newspaper articles:

(1) "The Dallas Morning News", Dallas, Texas, of 2/20/75, captioned "Gonzalez Asks Probe of Killings", which article indicates U. S. Representative Henry B. Gonzalez of San Antonio, has asked the House of Representatives to investigate the deaths of JOHN KENNEDY, ROBERT KENNEDY and MARTIN LUTHER KING and the attempted murder of Governor GEORGE WALLACE.

EX 104 REC 44 62-109060-7168

(2) "The Dallas Morning News", Dallas, Texas, of 2/23/75, captioned "Hoover's Imposter Memo on Oswald Said Withheld", which article indicates J. Edger Hoover in 1960 sent a memorandum to the State Department raising the possibility that an imposter might be using the credentials of an American defector named LEE HARVEY OSWALD, who was then in the Soviet Union.

APR 9 1975

ENCLOSURE

(2) - Bureau (Encls.5)
1 - Dallas
RPG:nlf
(3)

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

U.S.Government Printing Office: 1972 — 455-574

(3) "The Dallas Times Herald", Dallas, Texas, of 3/5/75, captioned "Assassination Film to Air = Zapruder Movie of JFK Murder on TV". This article states the film of Abraham Zapruder showing the assassination of President John F. Kennedy is scheduled to be televised nationally by ABC during the Wide World of Entertainment program starting at midnight, Thursday (3/7/75), harrated by Robert Groden, a New York slide duplication technician for industrial shows.

(4) "The Dallas Morning News", Dallas, Texas, of 3/6/75, captioned "Kennedy Probe Quietly Sought". This article reflects the U. S. Justice Department has asked Assistant United States Attorney Kenneth Mighell at Dallas to quietly examine any new information on the assassination of President Kennedy. This article reflects that Mighell has stated he has not received any new information, and that he does not consider the airing of the Zapruder film on ABC - TV narrated by Robert Groden to be "new".

(5) "The Dallas Morning News", Dallas, Texas, of 3/6/75, captioned "Kennedy Film Won't Be Cut". This article reflects that Mike Shapiro, President of Belo Broadcasting Corporation and WFAA - TV, Dallas, had agreed not to edit the film version of the assassination of President John F. Kennedy to be shown nationally for the first time shortly after midnight, Thursday, (3/7/75).

(Mount Clipping in Space Below)

Gonzalez Asks Probe Of Killings

Washington Bureau of The News

WASHINGTON — Rep. Henry Gonzalez of San Antonio Wednesday asked the House of Representatives to investigate the deaths of John Kennedy, Robert Kennedy and Martin Luther King and the attempted murder of Gov. George Wallace.

Gonzalez introduced a resolution calling for a 7-member House committee to investigate the crimes after Watergate "revealed possibilities heretofore considered not possible.

"WE MUST settle for once and for all in the interest of the welfare of our country and the future of its people the truth of what happened at Dallas on Nov. 22, 1963, and what Lee Harvey Oswald carried to his grave before he had his day in court, and perhaps what Oswald did not know," the Democrat said in remarks prepared for the Congressional Record.

"We must find out if the President's death was in retaliation to the Bay of Pigs invasion against Cuba, and what connection did Oswald's murderer, Jack Ruby, also dead, have with all of this.

"We must find out if there is any connection with the deaths of Sen. Robert Kennedy and Dr. Martin Luther King, and why there is any reason for cases of their two assassins to be back in the courts."

GONZALEZ SAID there is reason to subpoena Watergate figure E. Howard Hunt and Nixon aide Charles Colson, citing reports that Colson ordered Hunt to break in a suspect's home after the Wallace shooting.

"During the past several months I have become increasingly sensitive to the need to conduct such an investigation because I have become a rallying point for people from throughout the country who are unsatisfied with the findings of the Warren Commission about the death of President Kennedy," Gonzalez said.

(Indicate page, name of newspaper, city and state.)
"The Dallas Morning News"
Dallas, Texas

Page 19A

Date: 2-26-75
Edition:
Author:
Editor: Tom J. Simmons
Title:

Character:
or
Classification:
Submitting Office: DALLAS

☐ Being Investigated

62-109060-118

ENCLOSURE

(Mount Clipping in Space Below)

Hoover's Imposter Memo On Oswald Said Withheld

By REN A. FRANKLIN
© New York Times News Service, 1975

WASHINGTON—J. Edgar Hoover in 1963 sent a memorandum to the State Department raising the possibility that an impostor might be using the credentials of an American defector named Lee Harvey Oswald, who was then in the Soviet Union.

This memo from the director of the Federal Bureau of Investigation and two subsequent State Department memos related to it were apparently not shown to key investigators of the Warren Commission, which examined the assassination of President Kennedy and determined the Oswald, acting alone, was the assassin.

The late Hoover's warning of the "possibility" that an impostor could be using Oswald's identification data, in the Soviet Union or elsewhere, came more than two years before the murder of the American president in Dallas on Nov. 22, 1963. The imposter theory was rejected, by implication but not directly, in the published report of the Warren Commission, and its significance could not be determined.

THE BODY of the man who the commission concluded had shot the president—and who was shot to death by Jack Ruby two days later—was identified by his mother and other relatives and also by fingerprints and other physical features as that of Lee Harvey Oswald.

But the apparent withholding of information from commission investigators responsible for checking Oswald's activities in foreign countries supported a theory of some critics of the commission's final report that the panel had come to its conclusion regarding Oswald without having had all the facts.

A spokesman for the FBI said, in response to questions, that "we can definitely state now with the exception, that a copy of the Hoover memo was shown to a member of the Warren Commission staff in the presence of an FBI agent." However, the spokesman said that he could not identify the commission staff member to whom the memo reportedly had been shown. Neither J Lee Rankin, the former general counsel of the commission, nor any of his former staff aides who were most involved in investigating Oswald's background, said they could remember seeing it.

HOWEVER, Howard Willens, now a private lawyer here, identified himself in an interview Saturday as the commission lawyer who had reviewed the FBI file. Willens, who was then the commission's special liason officer to the Justice Department, said the "While I do not think that anyone can state nowwith the necessary precision whether or not he saw the Hoover memo, it is my best recollection that I did, in fact, see that memo."

(Indicate page, name of newspaper, city and state.)
"The Dallas Morning News"
Dallas, Texas

Page 6A

Date: 2-23-75
Edition:
Author:
Editor: Tom J. Simmons
Title:

Character:
or
Classification:
Submitting Office: DALLAS

☐ Being Investigated

ENCLOSURE

"I do not want to be in a public debate with my old colleagues," Willens said, "but I know that there was discussion of this among others on the staff concerned with the activities of Oswald abroad. I am concerned with continued public references to the notion that the commission overlooked obvious facts."

Shown the FBI memos and the two State Department documents—discovered in the national archives here by a private researcher—W. David Slawson, a lawyer who checked out rumors about Oswald for the commission in 1964, said he thought the assassination inquiry should be reopened.

Slawson, who is now a law professor at the University of Southern California, said he and other investigators had never been shown the memos.

"We were the rumor runner-downers, and we certainly should have seen this material, as we did a great deal of other stuff that we showed to be unfounded," he said.

(Mount Clipping in Space Below)

Assassination Film to Air

Zapruder Movie of JFK Murder on TV

By EARL GOLZ

A film showing the assassination of President John F. Kennedy is scheduled to be televised nationally for the first time shortly after midnight Thursday by the American Broadcasting Co., a network spokeswoman said Tuesday.

WFAA-TV, the ABC station in Dallas confirmed that the film, originally shot by Abraham Zapruder of Dallas, will be shown during the Wide World of Entertainment program starting at midnight Thursday.

ROBERT GRODEN, narrator of the film, was in Dallas Tuesday to show the movie during a press conference.

Groden, a New York slide duplication technician for industrial shows, contends his enlargements and slow motion version of the Zapruder film prove "there is no question that at least one shot came from in front of Kennedy."

"This alone negates the conclusion of the Warren Commission that only Lee Harvey Oswald was shooting at the president's car," Groden said.

The Warren Commission concluded in 1964 that Oswald fired three rifle shots from the sixth floor of the Texas Book Depository Nov. 22, 1963. Two of the bullets hit Kennedy from the back, the commission claimed, and a third missed the motorcade entirely.

ONE OF THE bullets passed through Kennedy's body and hit then Gov. John Connally in the front seat of the president's car, the commission stated.

The Groden film version purports to spot a gunman behind the west end of the retainer wall of the white colonade atop the grassy knoll in Dealey Plaza.

The ABC spokeswoman in New York told The News that not all of Groden's film version will be televised because of "time limitations."

"The closeup of what he (Groden) says is a gunman in the bushes has been taken out," she said. "But there is another angle from which he says he can see the gunman and that's in."

Also scheduled to be shown is Kennedy being hit by gunfire while riding in the back seat of the presidential car with his wife, Jacqueline.

The Groden film version shown here Tuesday clearly shows Kennedy fall forward slightly when apparently hit in the neck from behind by a first shot.

The next action shows him reversing his direction and jerking backwards violently as the right front of his head appears to fly away from the impact of at least one other shot.

Groden contends the head shot was triggered by a rifleman in the colonade area to the front and right of the car.

He claims it was the final of "at least" six shots fired at the motorcade—five hitting either Kennedy or Connally — from four or more firing points.

Groden acknowledges that the original Zapruder film was purchased by Life magazine, which has not given him permission to show it.

He says his version, "a third generation film and as close to the original as you can get," was "appropriated and wasn't really stolen."

Zapruder, a dress manufacturer, died in 1970. He said he sold picture rights for a reported $25,000 to Life. The motion picture, which is in color, was taken from a perch in the colonade area near where Groden said his gunman was.

(Indicate page, name of newspaper, city and state.)
"The Dallas Times Herald"
Dallas, Texas

Page 1A

Date: 3-5-75
Edition:
Author:
Editor: Kenneth P. John
Title:

Character:
or
Classification:
Submitting Office: Dallas

☐ Being Investigated

(Clipping in Space Below)

Kennedy Probe Quietly Sought

By EARL GOLZ

The U.S. Justice Department has asked an assistant U.S. attorney here to quietly examine any new information on the assassination of President John F. Kennedy, The Dallas News has learned.

Assistant U.S. Atty. Kenneth Mighell said he was told to forward to Washington what he considers "new evidence" in the case.

So far, however, Mighell said he has not forwarded anything to Washington because he has seen "not a thing new" since he began receiving information from citizens about two months ago.

This includes films of the assassination shot Nov. 22, 1963, by Abraham Zapruder and others, which are scheduled to be shown in part by the American Broadcasting Co.'s television affiliates shortly after midnight Thursday.

ROBERT GRODEN, narrator of the ABC film version, said in Dallas earlier this week that it proves "there is no question that at least one shot came from in front of Kennedy."

Groden asserts "this alone negates the conclusion ." the Warren Commission that only Lee Harvey Oswald was shooting at the president's car."

Mighell said he asked the Justice Department whether he should start collecting any new information about the assassination after he learned about a letter U.S. Sen. John Tower of Texas had received from then Assistant U.S. Atty. Gen. Henry Peterson, head of the Justice Department's criminal division.

Mighell said a copy of the letter was in the possession of Lu Staples, who has conducted several radio talk shows about the assassination.

Staples, who was at a Groden press conference here this week, became infuriated when Mighell refused to come to the Adolphus Hotel to view the Groden film version. He indicated Mighell's role was merely to "pacify" conspiracy theorists interested in the assassination.

"I've personally seen the Zapruder film," Mighell said, "when we had it before Life magazine got it. So what is he going to show me that's new? If he is going to show me a doctored film, that isn't evidence . . .

"SOMEBODY COULD take those films and make anything they wanted out of them. And he (Groden) has doctored them up with his time framing. (so) how do we know he didn't doctor them up by putting a figure (second gunman) in the background?"

The federal attorney asked whether "they honestly expect us to start digging up more witnesses and find phantom snipers," even if everyone agreed the films show "a guy sitting up there that may have had a rifle and the bullet may have come from that direction."

Mighell also asked how Groden explains "a front entry bullet tearing off the front of the head. An entry wound is a very small, almost obscure wound. It's the exit wound that is gaping."

(Indicate page, name of newspaper, city and state.)
"The Dallas Morning News"
Dallas, Texas

Page 1A

Date: 3-6-75
Edition:
Author:
Editor: Tom J. Simmons
Title:

Character:
or
Classification:
Submitting Office: DALLAS

☐ Being Investigated

62-109060-

F

The U.S. attorney's office so far has received "a list of a bunch of witnesses who will testify," some magazine articles and a book, Mighell said.

All came from Bernard Fensterwald Jr., Washington attorney for key Watergate figure James W. McCord Jr. and founder of the privately financed Committe to Investigate Assassinations.

MIGHELL SAID he was "in the process of just showing Fensterwald the courtesy of reading what he sent me. And when I'm all through, if I'm unable to find in any of this stuff new evidence," nothing will be forwarded to the Justice Department in Washington.

He added that he is "looking for evidence, not interpretation of evidence that's already been ruled on . . . If there is a federal crime involved somewhere then we will investigate it. But the basic problem we have always had with the Kennedy assassination is there is no federal crime involved."

(Mount Clipping in Space Below)

Kennedy Film Won't Be Cut

By EARL GOLZ

The president of WFAA-TV decided Wednesday not to edit any of the film version of the assassination of President John F. Kennedy to be shown nationally for the first time shortly after midnight Thursday.

Mike Shapiro, president of Belo Broadcasting Corp. and WFAA-TV, earlier Wednesday stated he would not air the film version because of the "gory scenes" showing Kennedy's skull tearing off from the blast of gunfire in Dallas on Nov. 22, 1963.

He changed his mind, however, after viewing the film twice and after receiving more than 100 telephone calls from area residents demanding the film be shown in its entirety.

"I have had enough immediate reaction from the city," Shapiro said. "I am not going to deprive it of the film."

The film, taped by the American Broadcasting Co. for its affiliates showing the Wide World of Entertainment program starting at midnight Thursday, is narrated by New York slide film technician Robert Groden and comedian Dick Gregory.

Most of the 90-second film comes from footage taken by Abraham Zapruder, a Dallas dress manufacturer, from the grassy knoll in Dealey Plaza.

Groden asserted here earlier this week the film proves "there is no question that at least one shot came from in front of Kennedy."

Shapiro said after viewing the film that if people expect to see positive proof "it's not in there." He said it will be aired preceded by a disclaimer that will say, "This is an occasional special; we didn't know the subject was coming up."

Shapiro said he saw the Zapruder film after the assassination and thought then "I wouldn't run it now or ever."

Groden talked here this week of what he contends is a second gunman at the white colonnade on the grassy knoll seen in his film version. However, the ABC version doesn't mention this.

(Indicate page, name of newspaper, city and state.)

"The Dallas Morning News"
Dallas, Texas

Page 1D

Date: 3-6-75

Edition:

Author:

Editor: Tom J. Simmons

Title:

Character:
or
Classification:

Submitting Office: DALLAS

☐ Being Investigated

62-109060-

1 - Mr. Mortimer
1 - Mr. Shaneyfelt

PLAINTEXT TELETYPE URGENT

APRIL 14, 1975

TO: SAC, DALLAS (89-43)

FROM: DIRECTOR, FBI (62-109060)

ASSA ASSASSINATION OF JOHN FITZGERALD KENNEDY, DALLAS, TEXAS, NOVEMBER 22, 1963, MISCELLANEOUS - INFORMATION CONCERNING

RE TELEPHONE CALL FROM SA LYNDAL L. SHANEYFELT TO SA ROBERT P. GEMBERLING ON APRIL 14, 1975, REGARDING A REQUEST OF THE ROCKEFELLER COMMISSION FOR AN ON-SITE STUDY TO DETERMINE THE HEIGHT OF THE INDIVIDUALS ARRESTED BY THE DALLAS POLICE DEPARTMENT ON NOVEMBER 22, 1963, WHO HAVE BEEN DESCRIBED AS RESEMBLING E. HOWARD HUNT AND FRANK STURGIS.

THE DALLAS OFFICE SHOULD IMMEDIATELY OBTAIN THE ORIGINAL NEGATIVES OF THE SEVEN PHOTOGRAPHS RELATING TO THESE ARRESTS, AND IF POSSIBLE, OBTAIN THE CAMERAS USED TO TAKE THESE PHOTOGRAPHS. IF THE ORIGINAL NEGATIVES CANNOT BE OBTAINED, YOU SHOULD REQUEST GOOD CONTACT PRINTS SHOWING THE FULL

LDS:mcp (4)

REC-16 62-109060-7169

EX-110

22 APR 15 1975

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

APR 14 1975

TELETYPE

APR 22 1975

Assoc. Dir. ____
Dep. AD Adm. ____
Dep. AD Inv. ____
Asst. Dir.
Admin. ____
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Ident. ____
Inspection ____
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Spec. Inv. ____
Training ____
Legal Coun. ____
Telephone Rm. ____
Director Sec'y ____

MAIL ROOM ☐ TELETYPE UNIT ☑

NW 88608 - 50483

TELETYPE TO DALLAS
RE: ASSASSINATION OF JOHN FITZGERALD KENNEDY,
DALLAS, TEXAS, NOVEMBER 22, 1963,
MISCELLANEOUS - INFORMATION CONCERNING
62-109060

NEGATIVES WITHOUT MASKING FOUR BORDERS. IF THE CAMERAS USED TO TAKE THESE PHOTOGRAPHS ARE NOT AVAILABLE, YOU SHOULD REQUEST INFORMATION REGARDING THE NEGATIVE SIZE AND THE LENS FOCAL LENGTH AND SPEED. IF THE NEGATIVES OR PRINTS SHOWING THE FULL NEGATIVES ARE NOT AVAILABLE, YOU SHOULD DETERMINE WHETHER OR NOT THE PHOTOGRAPHS IN THE DALLAS OFFICE REPRESENT THE APPROXIMATE FULL NEGATIVE AREA. THIS MATTER SHOULD BE HANDLED WITHOUT DELAY SINCE THE COMMISSION HAS REQUESTED THAT THIS MATTER BE HANDLED WITH THE "GREATEST POSSIBLE SPEED." YOU SHOULD CONTACT SA SHANEYFELT IN THE FBI LABORATORY ON EXTENSION 3522 FOR ANY FURTHER INFORMATION OR VERIFICATION OF THIS REQUEST.

FBI

Date: 4/9/75

Transmit the following in _____ (Type in plaintext or code)

Via AIRTEL _____ (Priority)

TO: DIRECTOR, FBI (62-109060)

FROM: SAC, DALLAS (89-43) (P*)

ASSASSINATION OF PRESIDENT JOHN FITZGERALD KENNEDY, DALLAS, TEXAS, 11/22/63
MISCELLANEOUS - INFORMATION CONCERNING

OO: DALLAS

Enclosed for the Bureau is one copy each of the following described newspaper articles relating to recent controversial aspects of captioned case:

1. "Fort Worth Press," Fort Worth, Texas, of 3/23/75, captioned "For Marguerite Oswald: 2 Hungers; Mrs. Oswald: Lee was a U.S. Agent." This article relates an exclusive interview with MRS. MARGUERITE OSWALD, mother of LEE HARVEY OSWALD, by JEAN WYSATTA.

2. "Fort Worth Star-Telegram," Fort Worth, Texas, of 3/15/75, captioned "Secret Service Head Favors Oswald Probe." This article relates that U.S. Secret Service Director H. STEWART KNIGHT says recent allegations that LEE HARVEY OSWALD did not kill President JOHN F. KENNEDY should be "thoroughly investigated."

ST-117

3. "Fort Worth Star-Telegram," Fort Worth, Texas, of 3/26/75, captioned "Unchanged" and reflecting comments of ROBERT OSWALD to the effect that "nothing has come to light in the past 11 years" to make him change his conclusion that his brother, LEE HARVEY OSWALD, fired the shots that killed President JOHN F. KENNEDY.

62-109060-7170

The above-described articles are furnished the Bureau for its information.

(2) Bureau (Enc. 3) ENCLOSURE
1- Dallas
RPG/wvm
(3)

ENCLOSURE ATTACHED

12 APR 12 1975

Approved: _____ Sent _____ M Per _____

Special Agent in Charge

APR 23 1975

* U. S. GOVERNMENT PRINTING OFFICE : 1969 O - 349-000

(Mount Clipping in Space Below)

For Marguerite Oswald:

2 hungers

Mrs. Oswald: Lee was a U.S. agent

Mother of the accused assassin grants an exclusive interview

(Indicate page, name of newspaper, city and state.)

1 Fort Worth Press
Fort Worth, Texas

Date: 3/23/75
Edition:
Author:
Editor: Delbert Willis
Title:

Character:
or
Classification:
Submitting Office: Dallas

☐ Being Investigated

By JEAN WYSATTA

Copyright 1973, The Fort Worth Press

Outside, the winds of controversy gather new strength over Lee Harvey Oswald's mark on history, while inside, his mother in Fort Worth waits and watches, enduring two kinds of hunger.

Inside, on a typical day, she makes three meals out of one quart of buttermilk, or cereal, so she can afford the newspaper to read about the things that happen outside — the growing number of headlines that carry the name Oswald.

Her two hungers:

Always and forever, it seems, Marguerite Oswald has had an obsessive need for public recognition of "this mother . . . this woman in history."

Her immediate hunger is less spiritual. It's an empty stomach.

"I live below the poverty line. I'm not asking for help and I'm not complaining," she says.

Her income is $165 a month in Social Security and Supplemental Income. She gets another $25 a month by selling her signature to collectors she will not name.

Mrs. Oswald has always been poor, a condition mentioned often in the torrent of words that flowed forth after her son, Lee Harvey Oswald, was accused of shooting to death President John F. Kennedy in Dallas on Nov. 22, 1963, and then was murdered himself two days later.

Of her New Orleans upbringing, she has said, "I was poor but never trashy. I'd know better than to go to the door in my apron."

Her bank account was depleted five months ago.

Lee's father died two months before he was born. Lee's mother, twice widowed and once divorced, had to manage by working as a practical nurse.

In July she will be 67.

The years since 1963 have changed Mrs. Oswald very little.

Her pink-skinned face has fallen somewhat and her hair has whitened. She's on the plump side but pleasantly neat and scented of face powder. She uses her voice, soprano, like a slide trombone, soft and then shrill.

The home she bought in the Arlington Heights neighborhood—mortgage now $107 a month — is so laundered looking it seems freshly painted. Her living room is early American, sunshiny and presided over by a print of "Whistler's Mother" which she once called "another mother in history."

The passing years have not changed her compulsion to relate to many things that happen on the outside.

Mrs. Oswald had words to say about the death of Aristotle Onassis and his widow, the former Jacqueline Kennedy:

"Here I am, a woman, penniless, hungry. On the same day you have this woman in the news, the richest woman in the world. In the news, always one is high on the totem pole and one is low on it."

Other recent news stories have provided more openings for her views, reinforcing her passionate demand to be "a mother in history."

She was pleased to point out former CIA official George O'Toole claimed that tape recordings of Lee showed him to be innocent because his voice betrayed no stress.

"THE OTHER day a machine said he was innocent. Some people didn't believe Lee Harvey Oswald or his mother. Maybe they'll believe this machine."

Mrs. Oswald, waiting on the inside, has a keen sense of the irony of events outside.

Her memory goes back to 1959 when the news indicated that Lee was a defector to Russia.

"Russia was a bad word, but now history has proven itself. Presidents visit Russia."

Through the years she has insisted as much on Lee's innocence as her belief that he was an American secret agent. At least, as one columnist put it recently, Lee, with his undesirable record in Russia, got back into the United States easily enough.

She appeared before the Warren Commission in early 1964. It was reported that she said:

"Who can prove he is not a CIA agent? He isn't going to say he's a CIA agent, and the government isn't going to say he is. I have as much circumstantial evidence that he was as the Dallas police have that he was the assassin."

WHATEVER information Mrs. Oswald thinks she has, the public will not know until her book is published. She has been making notes for it since 1959, she says.

On Dec. 4, 1963, less than a month after Dallas, she said, "I'm not answering any questions. It will all come out in my book."

So far, no book.

In recent years, faced with the prospect of her poverty, irked by telephone calls from news reporters, she has refused to give interviews unless she was paid. She extended this condition to include taking of her picture and no taping of her voice which she said always sounded "hysterical."

This interview was an exception to her rule.

Now, there are voices on the outside asking for a re-opening of the assassination investigation, expressing doubts about the "lone assassin" theory. But Mrs. Oswald herself has revealed no evidence strong enough to open old, closed doors.

Her remark linking Lee with the CIA is more pertinent in the light of new events.

Remembering it, she says now, "When I said CIA, I meant government intelligence, like the Internal Revenue or FBI."

EXPLAINING she was "just a mother and housewife," she couldn't be expected to use purely accurate terms.

She likens her use of the phrase "CIA" to calling any refrigerator a Frigidaire.

Why did she think Lee was a secret agent?

"I thought it because of extenuating circumstances that caused me to believe Lee had gone to Russia in service of his country.

"In 1961, when I went to Washington to locate Lee, I told those big muckity mucks that I believed my son was a CIA agent. They laughed. Six weeks later they gave me his address. They knew where he was all the time, but for 20 months I didn't know if he was alive or dead."

Pushed for a definition, she says, "Extenuating circumstances means things are not the way they seem. All this is documented in the 26 volumes." (The Warren Commission report.)

MRS. OSWALD spent money to buy the 26 volumes. She has read and re-read them and takes pleasure in pointing out inaccuracies she says they contain.

She has penciled notes in margins of the books.

Now, she wants to sell them, along with her sizable library on the assassination.

She has to sell her personal belongings to exist, she says.

Who would argue with that?

Her library consists of 500 hardbacks she keeps carefully wrapped in plastic and lined up neatly on the shelves in the small back sitting room of her home.

A male German police dog guards what's inside from the outside.

The library also contains paperbacks, magazines, periodicals, letters and "documents."

Mrs. Oswald says she has no further need of the library, because she's made notes from the books to use in her book.

"I want to sell to a philanthropist if they'll pay me what I paid and promise to give the library to a college or university for the students."

She says, "Publicly, I'm not putting a price on it. The complete library would run into money. There are thousands and thousands of documents."

If she gets any takers on her offer to sell, a big part of her son, Lee, will go out of her life.

Lee, from his grave in Rose Hill Cemetery, helped build those rows of books.

DURING FIVE years or more following his death, Lee's letters were auctioned off by a New York gallery for Mrs. Oswald. One letter reportedly drew $3500 from the highest bidder, or more money than one letter of President Kennedy's, Mrs. Oswald has said.

She took part of the money to buy books, the rest to pay on the loan on her home and to eat.

"It was a heartbreak to sell Lee's letters. I have something left, a letter from Russia, and I need to sell that. But for the past year, no, I haven't sold anything," she says.

The library contains volumes she relates to the lives of the Oswalds, books on Russia, Cuba and New Orleans — "our background." It has books on religion, "Great True Spy Stories" by former CIA chief Allen Dulles, FBI books and the two-volume "The Glory and the Dream" by William Manchester.

She opens the latest Manchester writing and points to one allusion to her as "a strong-minded widow."

"I didn't expect to find myself in that book. That's the thing. I worry everybody. I worry William Manchester. Don't kid yourself, I do," she says.

MANCHESTER IS not accurate, she says, and is one of the writers she has filed suit on for calling Lee an assassin.

Framed pictures are displayed on the library shelves. One is of President Gerald Ford, who was a member of the Warren Commission.

Two identical pictures are of Marina Oswald Porter, whom Lee left a widow. One photograph is of Lee's tombstone.

Lee's face, from babyhood to final bruised countenance the day he died, peers from an assortment of handsome frames.

His mother traded her autograph for the frames.

She regrets people saying that final picture revealed a smirk that said, in effect, an obscure nobody changed history. And his mouth — that's just the way it was.

Has she seen Marina and her two grandchildren since the funeral at Rose Hill? Has she seen sons, John Pic and Robert Oswald?

Her answer is "I have not seen a soul since Nov. 28, 1963."

FORMERLY A Lutheran, she could not get a Lutheran minister or any other minister of a church to officiate for Lee's funeral. Does she attend church now?

She tried, she says. "In a congregation of 200 people, I wasn't accepted."

While it was reported Marina received $30,000 or more from sympathizers, Marguerite Oswald received $800, she says.

That money has long since been spent.

When asked if she could work, Mrs. Oswald says, "How can I work? Out of four people, two are against me. Since I am a public figure, no one would employ me. Customers might object."

She still recalls the times she had to move in Fort Worth because landlords thought her the mother of a Russian defector.

Mrs. Oswald, with pride in her appearance, says she has had nothing new to wear in three years. It strained her budget to spend $5 on gasoline last month.

"I CAN'T TELL you the last ~~time I had~~ a meal. I haven't eaten meat since 1973. Now, I don't want any. I have some chicken, fish and eggs. I'm not starving but I'm not eating properly."

To save on her electricity bill, she turns off the lights at night and watches TV in the dark. She uses cornmeal and grease to stretch the food for two dogs whose coats show them to be in good condition.

The time passes when she gets the newspaper and the mail, answers telephone calls, some of them long distance from persons interested in the mother of Lee Harvey Oswald.

Every year she gets less mail. She averages two or three letters a week after more than 11 years. Some are simply addressed to her name and Fort Worth, Tex.

She is proud she's been invited to speak at TCU and before Arlington Sertoma Club.

SHE'S AN EXPERT, she believes, in making the best of a bad situation. For seven years after 1963, she had no income. At age 62, she began receiving Social Security.

"I have a guardian angel. I'm compensated for the injustice done to my son, whether he was an assassin or not.

"There is no reason why this woman has to suffer. Because of the abuse, because this is a world-wide case, I think am compensated by this influencing, guiding spirit."

It is obvious Marguerite Oswald is angered by her financial situation.

Yet the outside might come inside and provide her a windfall, she reasons.

"My position fluctuates. Tomorrow, I might get an advance on a book or sell a document . . . It's been this way before, and I stuck it ~~out. I'm~~ in perfect health. I'm ~~a strong~~ woman."



The mother of Lee Harvey Oswald is pictured in her library at the rear of her home on Fort Worth's West Side, with her German shepherd pet, a guard dog. Marguerite Oswald would not like to ee the assassination case re-opened unless there is full disclosure, including opening the national archives. But, she says, someone might come forward with new facts — "it's a hope and a possibility." — Press Staff Photo by Gene Gordon.

(Mount Clipping in Space Below)

Bulletin Board

Secret Service Head Favors Oswald Probe

Star-Telegram Wire Services

U.S. Secret Service Director H. Stewart Knight says recent allegations that Lee Harvey Oswald did not kill President John F. Kennedy should be "thoroughly investigated." He says, however, he still believes the Warren Commission finding that Oswald, acting alone, assassinated the late president. Earlier this week former Central Intelligence Agency agent George O'Toole said Oswald was "framed." He conducted psychological stress analysis of Oswald's voice on tape recordings in which he denied guilt of the Nov. 23, 1973, assassination. Knight was in Birmingham, Ala., to address a banquet honoring Alabama's outstanding Law Enforcement Officer of the year.

(Indicate page, name of newspaper, city and state.)

8A Fort Worth Star-Telegram Fort Worth, Texas

Date: 3/15/75
Edition: Evening
Author:
Editor: Jack Butler
Title:

Character:
or
Classification:
Submitting Office: Dallas

☐ Being Investigated

(Mount Clipping in Space Below)

"UNCHANGED — Robert Oswald says "nothing has come to light in the past 11 years" to make him change his conclusion that his brother Lee Harvey Oswald fired the shots that killed President John F. Kennedy. "The conclusions and evidence presented by the Warren Commission are still valid as far as I am concerned," the 38-year-old Oswald said yesterday. He is a junior executive in a firm that operates nusing homes in Texas and Oklahoma and was interviewed yesterday by a Dallas radio station.

(Indicate page, name of newspaper, city and state.)

Fort Worth
6A Star-Telegram
Fort Worth, Texas

Date: 3/26/75
Edition: Evening
Author:
Editor: Jack Butler
Title:

Character:
or
Classification:
Submitting Office: Dallas

☐ Being Investigated

JOHN V. TUNNEY
CALIFORNIA

United States Senate

WASHINGTON, D.C. 20510

April 1, 1975

To: Federal Bureau of Investigation
Liaison
Department of Justice
Washington, D.C.

Enclosure from:

John Simpson
1850 Hanover Drive, #199
Davis, California 95616

Ref: John Simpson

Kennedy assassination investigation

I forward the attached for your consideration. I would appreciate receiving your response with an additional carbon copy, and the return of the original correspondence, as soon as possible. Please direct your response to [redacted] Ann Berman of my Washington, D.C. staff.

Thank you for your time and effort.

Sincerely,

JOHN V. TUNNEY
United States Senator

[redacted] Ann Berman
Office of Senator John Tunney
[redacted] Senate Office Building 3210 Dirksen
Washington, D.C. 20510
202/225-3841

7 APR-7 1975

CORRESPONDENCE

EXP. PROC.
40
APR 7 1975

Dear Mr Turney,

I read the enclosed article today and was shocked at its implications. We can and will anything be done to resolve the questions raised by Mr Rhodes

John Simpkin
1850 Harbiger Dr #199
Davis, CA 95616

Enclosure

thursday february 27, 19[illegible]

university of california at davis

uca volume 87 number 38

CALIFORNIA AGGIE

Rhodes Attacks Warren Report - Charges Conspiracy in JFK's Death

by Tom Tiernan
Staffwriter

Private investigator Rusty Rhodes attacked many crucial points in the Warren Commission Report on President John F. Kennedy's assassination and offered evidence of a conspiracy possibly including high level governmental involvement. Monday night to two packed audiences in Pet Chem.

Rhodes, who is executive director of the Los Angeles [illegible] to investigate [illegible] assassination, began by referring to the Warren Commission as a "kangaroo court" and the Warren Commission's findings as "nonsense." In fact, the best way to disprove the Warren Commission report is to simply read it."

Using film, slides, tapes and diagrams to supplement his lectures Rhodes, questioned evidence supporting the Commission's conclusion that Lee Harvey Oswald fired the shots that struck down Kennedy and severely wounded Texas Governor John Connally. He also questioned the Commission's claim that Oswald acted alone.

Rhodes showed that the Commission's single bullet theory, which claims that one bullet caused seven wounds in the two men, is impossible. He said that this particular bullet was said to have gone through bone in two areas of Connally's body, and emerged virtually intact and pristine.

"We call this super bullet," Rhodes said. He showed a diagram of the various trajectory changes which the bullet would have to take to coincide with Warren Commission findings and labeled them ridiculous. Rhodes also said the bullet would be required to hang in midair for 1.8 seconds, the time between when Kennedy was first hit and when Connally was wounded.

"And yet," he said, "the Warren Commission gibbers it, if you cannot accept the single bullet theory you cannot accept the report."

During the course of the two presentations Rhodes showed the 8mm and 16 mm versions of the Zapruder film, taken by bystander Abraham Zapruder, showing the actual assassination. At the time of the assassination, according the Rhodes, the American people were erroneously told that the fatal shot caused the President to lurch violently forward.

"Of course if he was shot from [illegible] he was [illegible]"

Rhodes said this included two motorcycle policemen riding alongside the Presidential vehicle, Zapruder who was standing on the grassy knoll, and seven men standing on an overpass overlooking the entire area.

Concerning the seven men on the overpass Rhodes stated, "All seven state that they actually saw a rifle barrel protrude over the top of the wooden picket fence at the top of the grassy knoll. In fact three of the individuals said they saw a puff of smoke emerge from that rifle barrel."

He said that only one of these men was interviewed by the Warren Commission and his testimony was entirely discounted.

He noted that President Kennedy's last Executive Order called for all American troops to be pulled in from Vietnam, an order which angered much of the military establishment. He quoted also a Kennedy statement made shortly before this death in which he vowed "to smash the CIA into a thousand pieces and cast it to the four winds."

As further evidence of a shot from the front, Rhodes and a colleague told the audience that all the doctors who worked on the mortally wounded president when he was taken to Parkland Memorial Hospital described a temple wound, with an exit area in the rear portion of the head, as being the fatal wound. One doctor later changed his testimony. Rhodes' colleague related that when asked why he changed his testimony the doctor said,

"Oh just simply the best to protect [illegible] and look at all the aspects of all the circumstances surrounding the assassination. Certainly no new hard information came to me and made me change my mind."

During his two lectures Rhodes offered evidence that possibly the CIA, FBI, the military, the Secret Service and [illegible] officials conspired to kill President.

Rhodes also related evidence that Oswald might have been an operative FBI agent at the time of the assassination. Rhodes noted that Oswald appeared to have affiliations with many operative CIA agents and

governor John Connally.

Rhodes noted that Oswald was considered to be a poor marksman while in the U.S. Marines. He said that by cross-referencing films it has been determined that Oswald had between 4.8 and 5.6 seconds to fire three times the alleged murder weapon, an Italian Manlicher-Carcano carbine made in 1938. The best marksmen in the country failed to duplicate this feat, according to Rhodes.

He noted also that Oswald's fingerprints were never found on the rifle and that a paraffin test on Oswald, used to determine whether he had fired a rifle on the day of the assassination, was negative. Rhodes said he had to dig into Dallas police records to get the test results, not without some difficulty.

"The paraffin test is legally admissible as evidence in the state of Texas," Rhodes noted. "So if Lee Harvey Oswald had lived to face trial the paraffin test also would have been a very strong point for his defense counsel."

The only connection between Oswald and the murder weapon, said Rhodes, were two pictures of him holding the rifle, allegedly waving Marxist literature and with the gun he allegedly killed Officer Tippit with in his hip pocket.

Rhodes then produced evidence he said proved the two pictures to be fraudulent. He said Oswald's face, from the chin protrusion to the hairline, had been placed upon another man's body.

"These photographs were cited as evidence by the Warren Commission," he said. "Their validity was never questioned, and these photographs are outrageous fakes."

"I said that point and that point alone is enough to reopen the case," Rhodes exclaimed.

Rhodes presented evidence at

Rhodes said.

The film shows Kennedy's head pushed violently backwards by the impact of the fatal bullet.

"Now you've seen the Zapruder film and you saw the President's head violently backwards backwards and to his left at over 80 feet per second," Rhodes told his audiences.

He said this indicated a sniper in front of the Presidential motorcade as well as one probably behind it. "Over 95 percent of our witnesses in the immediate Dealy Plaza area were quite certain that at least the fatal shot came from the top of the grassy knoll in front of the President," he said.

photographs of three men arrested immediately after the assassination just behind the grassy knoll area. He said that many people feel that two of three men in the photograph are E. Howard Hunt and Frank Sturgis, also key Watergate figures.

Rhodes said though, the names of three men were never written down in Dallas police records. The police officer responsible for the booking of the three men is also present in the photographs. Only this man was a fraud according to Rhodes and that is why the names of three men were never taken down.

New Orleans shared the same building with a right wing CIA cuban revolutionary group. He said also that Oswald's best friend was David Ferrie, a known operative CIA agent.

Rhodes said the evidence at least calls for a reopening of the investigation into the assassination of President Kennedy. He finished his presentation by saying, "This case belongs to 220 million Americans. As tired as we are of the horrors of the subject all of us must address ourselves honestly to the meaning and the implications of the murder of John F. Kennedy, or all of us will pay the price of living in tyranny."

The Warren Commission said that one bullet caused the fatal head wound to the President, another bullet went astray and struck a bystander, and the third bullet pierced Kennedy's back and hit Connally, causing seven holes in the two men.

62-109060-171

April 10, 1975

Honorable John V. Tunney
United States Senate
Washington, D. C. 20510

Dear Senator Tunney:

I have received your letter of April 1st, with enclosures from your constituent, Mr. John Simpkin of Davis, California.

With regard to Mr. Simpkin's inquiry concerning the assassination of President John F. Kennedy, this Bureau conducted an intensive investigation at the request of President Lyndon B. Johnson. The results were accurately reported to the President's Commission on the Assassination of President Kennedy which subsequently published a report which included some of the data and photographs we furnished. All available evidence and facts pointed to one conclusion--that Lee Harvey Oswald acted alone in this crime.

From time to time, certain questions have been raised by individuals or organizations concerning certain aspects of this case and have been thoroughly considered by the FBI. I do not feel it should be reopened at this time.

As you requested, your enclosures are returned herewith.

MAILED 7
APR 10 1975
FBI

Sincerely yours,

Clarence M. Kelley
Director

Enclosures (2)

1 - Sacramento - Enclosures (3)
1 - Legal Analysis Office - Enclosures (3)

NOTE: Correspondent is not identifiable in Bufiles. Constituent has enclosed an article from the 2-27-75

WPH:dsh (7)

NOTE CONTINUED ON PAGE TWO.

Assoc. Dir. ____
Dep. AD Adm. ____
Dep. AD Inv. ____
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Director Sec'y ____

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GPO 954-546

edition of the "California Aggie," a newspaper from the University of California at Davis. The item describes a lecture by Rusty Rhodes who is reported to be the Executive Director of the Committee to Investigate Political Assassinations. Rhodes is reported to have offered evidence that possibly the CIA, FBI, the military, Secret Service and other Government officials conspired to kill Kennedy.

1 - Mr. Mintz
1 - Mr. Cregar
(4123 JEH)
1 - Mr. Nettles
(5048 JEH)

Deputy Attorney General

April 21, 1975

1 - Mr. White
1 - Mr. Mortimer
1 - Mr. Shaneyfelt

Director, FBI (62-116391)

COMMISSION ON CIA ACTIVITIES
WITHIN THE UNITED STATES

JOHN Fitzgerald Kennedy

Reference is made to two letters dated April 2, 1975, and April 4, 1975, addressed to Mr. James A. Wilderotter from Mr. Robert B. Olson, Senior Counsel of the Commission on CIA Activities Within the United States with which photographs of E. Howard Hunt and Frank Sturgis were furnished for comparison with photographs taken of certain "derelicts" accompanied by Dallas police officers in Dallas, Texas, on November 22, 1963.

There is attached the report of the FBI Laboratory on the examination requested and the photographs that were furnished by the Commission for transmittal to the Commission if you deem it appropriate.

Enclosures (2)

1 - 62-109060

LLS:mcw:mrg
(10)

DUPLICATE YELLOW

62-109060-

NOT RECORDED
46 JUN 2 1975

56 JUN 03 1975

7-1 (Rev. 11-26-74)

REPORT of the FBI LABORATORY

FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D. C. 20535

1 - Mr. Mintz
1 - Mr. Cregar (4123 JEH)
1 - Mr. Nettles (5048 JEH)
1 - Mr. White
1 - Mr. Mortimer
1 - Mr. Shaneyfelt

To: Mr. Robert B. Olsen
Senior Counsel
Commission on CIA Activities Within the United States
Washington, D. C. 20500

April 21, 1975

REGISTERED

FBI FILE NO. 62-116391

LAB. NO. D-750415161 HO
D-750415162 HO

YOUR NO.

Re: Commission on CIA Activities Within the United States

Clarence M. Kelley
Director

Examination requested by: Addressee

Reference: Two letters dated April 2, 1975, and April 4, 1975, directed to Mr. James A. Wilderotter

Examination requested: Photographic

Twenty-one photographs of E. HOWARD HUNT

Thirty-four photographs of FRANK STURGIS

Result of examination:

The photographs of E. HOWARD HUNT were compared with the shortest and oldest of the three men arrested in Dallas, Texas, on November 22, 1963, as depicted in photographs previously furnished to the FBI Laboratory with the following results:

1. The shortest and oldest man of the three men arrested in Dallas, Texas, on November 22, 1963, compared with photographs of E. HOWARD HUNT, shows a marked and significant age difference, with Mr. Hunt having a much younger appearance.

2. The jowl area of the chin of the oldest man has protruding pouches while this area of HUNT's chin is smooth and tightly contoured.

Enclosures (3)

1 - 62-109060
LLS:mcw:mrg (10)

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3. The nose of the older man appears more bulbous while the nose of HUNT is more angular or pointed.

4. There appear to be some inconsistencies in the ear contours; however, the known photographs of HUNT show differences in the ear contours between the late 1950 photographs and the mid to late 1960 photographs. The ear contours of the oldest individual in the Dallas photographs are different from the ear contours of HUNT in the mid to late 1960 photographs.

All of the above characteristics are considered sufficient to support the opinion as previously stated that the oldest individual in the Dallas photographs is not E. HOWARD HUNT.

The tallest of the three men arrested in Dallas, Texas on November 22, 1963, and shown in the photographs previously furnished to the FBI Laboratory, was compared with the photographs of FRANK STURGIS with the following results:

1. The tallest of the three men in the Dallas photographs has the general appearance of a Nordic type and FRANK STURGIS has a very definite appearance of a Latin.

2. FRANK STURGIS has very black wavy hair, and the Nordic individual has light or blonde straighter hair.

3. FRANK STURGIS has a rather round face with square chin lines and the Nordic individual has an oval shaped face with a less square or more rounded chin.

4. The ratio of the length of the nose to the height of the forehead from the bridge of the nose to the hairline shows these measurements approximately equal on STURGIS as compared to a greater forehead height than nose length on the Nordic individual. This is most obvious in the right profile where the nose and forehead of STURGIS measure approximately 7/8 inch. The nose of the Nordic individual measures 7/8 inch, and the forehead approximately 1 3/8 inches.

5. Some differences in ear contours were noted with the right ear of STURGIS being slightly triangular in shape.

6. The left ear of STURGIS has a slight projection along the outer edge about one-third down from the top. This projection does not appear in a similar view of the left ear of the Nordic individual.

7. The general outer contour of the left ear is more triangular on STURGIS and has a more distinct lobe, while the ear of the Nordic individual is wider at the lower half and has very little lobe.

8. Differences were noted in the nose contours and general facial contours between comparable photographs of STURGIS and the tallest individual in the Dallas photographs.

All of the above characteristics strongly support the previously stated conclusions that the tallest of the three individuals arrested in Dallas, Texas, on November 22, 1963, is not FRANK STURGIS.

Further, it is the opinion of this Laboratory, based on the examination conducted, that neither E. HOWARD HUNT nor FRANK STURGIS appear as any of the three "derelicts" arrested in Dallas, Texas, as shown in the photographs submitted.

Your request for a determination of the height of the individuals in the Dallas photographs based on an on-site study is under investigation, and this study will be made as soon as appropriate background information can be obtained.

The thirty-four photographs of FRANK STURGIS and the twenty-one photographs of E. HOWARD HUNT that you furnished for this examination are attached. Copies of these photographs have been retained in the FBI Laboratory.

One set of these photographs is attached for your files.

ROBERT L. LEGGETT, M.C.
6TH DISTRICT, CALIFORNIA

MEMBER OF
COMMITTEES ON:
ARMED SERVICES
MERCHANT MARINE AND
FISHERIES

WASHINGTON OFFICE:
ROOM 2263
RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, D.C. 20515
202/225-5716

OWEN CHAFFEE
ADMINISTRATIVE ASSISTANT

Congress of the United States
House of Representatives
Washington, D.C. 20515

DISTRICT REPRESENTATIVE:
JAMES COAKLEY
1323 TENNESSEE STREET
VALLEJO

SACRAMENTO OFFICE:
VIRGINIA HARPER
630 CAPITOL MALL

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Dep.-A.D.-Inv.	
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Legal Coun.	
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Director Sec'y	

April 7, 1975

Mr. Clarence M. Kelley
Director
Federal Bureau of Investigation
Washington, D.C. 20535

Dear Director Kelley:

I enclose for your review copy of communication from one of my valued constituents concerning the report of the Warren Commission on the death of President Kennedy based on the so-called Zapruder film.

I would appreciate the analysis of your agency respecting this film.

Your early reply would be much appreciated.

Very sincerely,

Robert L. Leggett

ROBERT L. LEGGETT
Member of Congress

RLL:ob
Enclosure

1- ENCLOSURE

EXP. PROC.
31 APR 9 1975

REC'D

-7172

15 APR 9 1975

SIX

Dear Bob,

Hope you are enjoying yourself and your ... as much as you were when I left last summer. I ha... a wonderful time working as a member of your ... and I want you to know that I have a lot of respect for your efficiency and concern when dealing with issues that are of a "dangerous" nature. ... that you don't have King Richard to kick around ... anymore. I'd like to call your attention to somethi... which I have believed for more than 5 years. (... Moses is still with you he can tell y... the discussions we had over this). John F. Kennedy was not murdered by Lee Harvey Oswa... Anybody who has seen the Zapruder film t... in Dallas that day can easily see that the ... were fired from the front, not behind. Furth... the Warren Commission (which included Gerald Ford and Hale Boggs among others) is an incompetent report which is full of contradic... I am convinced that a massive conspiracy murdered JFK and in the process, a revolution took place right under our noses of which we were totally ignorant. Please do what you can to re-open the investigation of this dea... Congress showed their power last summer and they should not shun the responsibility of ... investigating a president's death which is obviously highly questionable. You showed your courage by being outspoken in favor of Nixon's impeachment long before it was fashionable. Plea... show some more courage and discuss the possibi... of re-opening the JFK assassination with your colle...

April 14, 1975

62-107061-7172

FEC 75

Honorable Robert L. Leggett
House of Representatives
Washington, D. C. 20515

ST 104

Dear Congressman Leggett:

Your letter of April 7th, enclosing a copy of a communication from Mr. Linwood F. Peters, has been received.

With respect to your inquiry regarding the Zapruder film, the FBI has received numerous inquiries relating to it. As you are aware, at the direction of President Johnson the FBI conducted a prompt, intensive, objective and thorough investigation of the assassination of President Kennedy. The results of this investigation were fully and accurately reported and furnished to the President's Commission on the Assassination of President Kennedy (Warren Commission). You may rest assured that this Bureau has not withheld or suppressed information pertaining to the assassination at any time.

The Zapruder film was one of the many items considered by the Warren Commission. After a review of all available evidence, it was the conclusion of this Commission that Lee Harvey Oswald acted alone in committing this crime. I do not feel the investigation of this matter should be reopened at this time.

I trust this reply will be of assistance to you.

Sincerely yours,

C. M. Kelley

Clarence M. Kelley
Director

MAILED 6
APR 15 1975
FBI

1 - Sacramento - Enclosures (2)
1 - Legal Analysis Office - Enclosures (2)

NOTE: Bufiles contain no record of Linwood F. Peters. He indicated he has previously worked at Congressman Leggett's office and commends him for having spoken out in favor of former President Nixon's impeachment. He believes that the Zapruder film proves that President Kennedy was not murdered by Lee Harvey Oswald and that the Warren Commission report is incompetent and full of contradictions. He calls on the Congressman to reopen the assassination investigation. The Zapruder film was recently shown on the television program, "Good Night America." It is an amateur film made by Abraham Zapruder, a Dallas, Texas, dressmaker.

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Dep. AD Inv. ___
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Director Sec'y ___

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GPO 954-546

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA FPMR (41 CFR) 101-11.6

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI (62-109060) DATE: 3/19/75

FROM : SAC, DALLAS (89-43)(P*)

SUBJECT: ASSASSINATION OF PRESIDENT JOHN FITZGERALD KENNEDY, DALLAS, TEXAS, 11/22/73
MISCELLANEOUS - INFORMATION CONCERNING

OO - DALLAS

Re Dallas airtel to Bureau 3/6/75.

Enclosed for the Bureau is one copy each of the following described newspaper articles relating to recent controversial aspects of captioned case:

(1) "The Dallas Morning News", Dallas, Texas, of 3/7/75, captioned "Shooting Gory Sight, Kennedy's Head Thrown Backward, Film Shows."

(2) "The Dallas Times Herald", Dallas, Texas, of 3/7/75, captioned "New JFK Death Probe Urged, Yarborough Wants Rumors 'Laid to Rest'". This article reflects former U. S. Senator RALPH YARBOROUGH had called on Congress to reopen captioned investigation.

(3) "The Dallas Morning News", Dallas, Texas, of 3/8/75, captioned "Attorney Views JFK Shooting". This article reflects AUSA KENNETH MIGHELL, Dallas, had viewed the showing of the Abraham Zapruder film on ABC - TV.

7173

(2) Bureau (Enc.13)
1 - Dallas
RPG:nlf
(3)

REC-56

EX-110

MAR 21 1975

"ENCLOSURE ATTACHED"

APR 28 1975

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

(4) "The Dallas Morning News", Dallas, Texas, of 3/8/75, captioned "Rockefeller Panel To Probe CIA Link To Kennedy Death".

(5) "The Dallas Times Herald", Dallas, Texas, of 3/8/75, captioned "u. S. Denies New Evidence in JFK Death". This article indicates the Justice Department is advising congressmen it has found no significant or new evidence in the assassination of President John F. Kennedy. This article also refers to a new book by GEORGE O'TOOLE, former head of the Central Intelligence Agency's problem analysis branch which O'TOOLE says will prove LEE HARVEY OSWALD did not kill anyone in Dallas on 11/22/63.

(6) "The Dallas Morning News", Dallas, Texas, of 3/9/75, captioned "Yarborough Won't Ask For New JFK Probe".

(7) "The Dallas Morning News", Dallas, Texas, of 3/9/75, captioned "Hays, Hughes Are Satisfied With Warren Report on JFK". This article indicates BROOKS HAYS, a Special Assistant to the late President Kennedy and Federal Judge SARAH T. HUGHES, Dallas, are satisfied with the results reflected in the Warren Report.

(8) "The Dallas Morning News", Dallas, Texas, of 3/11/75, captioned "Voice Test Cited - Did Oswald Tell Truth". This article refers to former CIA employee GEORGE O'TOOLE's new book "The Assassination Tapes".

(9) "The Dallas Times Herald", Dallas, Texas, of 3/12/75, captioned "No Police Coverup in JFK Case, Curry Says". This article reflects public statements of former Chief of Police Jesse Curry, Dallas, Texas.

DL-89-43

(10) "The Dallas Times Herald", Dallas, Texas, of 3/12/75, captioned "Days Long and Hungry for Marguerite Oswald".

(11) "The Dallas Times Herald", Dallas, Texas, of 3/12/75, captioned "Now, Misty Theories", an editorial by FELIX L. McKNIGHT.

(12) "Fort Worth Star-Telegram", Fort Worth, Texas, of 3/13/75, captioned "TV Host Convinced JFK Slaying Merits Study". This article reflects comments of Geraldo Rivera, host of ABC's "Wide World of Entertainment" which showed the Abraham Zapruder film and interviewed DICK GREGORY and ROBERT GRODEN.

(13) "The Dallas Times Herald", Dallas, Texas, of 3/18/75, captioned "RFK Aide Asks Probe Re-opening". This article states FRANK MANKIEWICZ, a close political associate of the KENNEDYs in the 1960s, has endorsed reopening the investigation of JOHN KENNEDY's assassination.

The above described articles are furnished the Bureau for its information.

(Mount Clipping in Space Below)

Days long and hungry for Marguerite Oswald

By PAUL ROSENFIELD
Contributing Editor

The days are long and tear-provoking for Mrs. Marguerite C. Oswald, mother of the man who, on one deadly Friday in Dallas, changed the course of world history.

It was November 22, 1963, the day that President Kennedy was assassinated. Two days later, Lee Harvey Oswald was killed by Jack Ruby in the basement of the Dallas police station.

The Warren Commission found that Oswald killed the President alone and on his own, and that no conspiracy was involved. Yet, through the years as then, Marguerite Oswald has steadfastly claimed — to all who would listen—that her only son was innocent. Even today, her strong voice proclaims his innocence from her home on Byers Street, on Fort Worth's west side.

The telephone rang only once before a quiet, yet sturdy voice answered.

"Yes, this is Mrs. Oswald. My telephone has been ringing off the wall, and if you're a newspaperman you ought to know I'm the right Mrs. Oswald," she said in her old manner of not mincing words.

The voice was steady, outlining her problems of the years since 1963, which include unemployment, few friends and not much food.

"But I haven't done badly for someone who has all that going against them," Mrs. Oswald concluded. "I managed to stay well, even if I did have to dispose of most of my things just to have food in the house."

And then, a gasp from the other end of the line. "Oh, there is my boy's picture on TV again, and he's saying those words that I knew were so true all these years. I didn't just say they were true— I knew it. You know, it's pretty hard to be going through all this again. You probably don't understand what I mean, but it's hard for a mother."

(One of the last things Lee Harvey Oswald ever said, answering a reporter's question, was: "I didn't shoot anybody.")

At this point, Marguerite Oswald changed her mind; she would like to do the interview, she said, because it now seemed timely in view of the recent claims that Oswald was not the gunman, and also because of the recent late night TV showing of film of the assassination.

"I think the sooner we get it in the paper, the better it will be," she said. "I want a copyrighted story, and I want to edit it for correctness before it ever gets into print."

That question was sidestepped, since editors on major newspapers edit what is written. But immediately she was on another topic, roaming as in those days when she made news almost every day.

"I haven't eaten in a few days," she said. "It can get pretty rough, and so I would have to have some pay for my services in granting the interview."

Her voice was to the point, yet cultured and well modulated.

Marguerite Oswald never indicated how much money she wanted for an interview now that she was again on the fringe of the limelight, but her reaction was swift.

She hung up promptly, saying nothing except one of those phrases that involves what is known today as a deleted expletive. Whatever the new developments in the Lee Harvey Oswald case, his mother is unchanged.

(Indicate page, name of newspaper, city and state.)
"The Dallas Times Herald"
Dallas, Texas

Page 1B

Date: 3-12-75
Edition:
Author:
Editor: Kenneth P. Johns
Title:

Character:
or
Classification:
Submitting Office: Dallas

☐ Being Investigated

FILED
MAR 14 1975
FBI — DALLAS

"Most of the people watching the motorcade at the assassination site were behind it near the School Book Depository. By weight of numbers, their testimony carried the most impact," Curry said.

He recalled the search through the depository, the determination that the gunman was not there, the shooting of Officer J. D. Tippit and the arrest of Oswald in the Texas Theatre.

"I'm relatively sure Oswald shot Tippit because there were witnesses who saw him and I feel sure Oswald was involved in the assassination.

"But I always felt there might have been a possibility that Kennedy was shot from the front," said Curry.

O'Toole said he is certain Oswald did not shoot Tippit or Kennedy.

O'Toole only speculated on reasons for the alleged frame-up. He voiced the theory Oswald had been an FBI informer in Dallas and his role as an informer was used to entrap him into self-incriminating actions such as going to the Texas Theatre.

Curry, on the other hand, said he has no knowledge of Oswald's alleged role as an informant. He contended the unanswered questions in the Warren report are the result of such factors as the hasty removal of the President's body before a proper autopsy could be performed, and the involvement of so many law enforcement officers in the interrogation of Oswald.

FD-350 (Rev. 7-16-63)

(Mount Clipping in Space Below)

No police coverup in JFK case, Curry says

By GRETCHEN MOSER
Staff Writer

An official who investigated the John F. Kennedy assassination admits there still are many unanswered questions concerning the crime but he denies allegations of a coverup by Dallas police.

"I don't believe Dallas police were lying after the assassination and I don't believe they're involved in a conspiracy," said former Dallas Police Chief Jesse Curry, who headed the department from 1960 to 1966.

"There wouldn't be any reasons for them to lie," he said.

The allegations of a police coverup surfaced this week at a Washington, D.C., news conference when a former Central Intelligence Agency official revealed evaluations of voice recordings made by accused assassin Lee Harvey Oswald after his arrrest.

George O'Toole, who claims to have made an exhaustive study of the 1963 assassination, said leading polygraph authorities used a Psychological Stress Evaluator (PSE) and determined Osward was telling the truth when he told Dallas police, "I didn't shoot anybody."

O'Toole called for a reopening of the murder investigation. He said he was determined a number of police lied under oath to the Warren Commission investigating the assassination.

"The evidence implicating Oswald did not come about by chance. Oswald could not have been the victim of circumstance; he must have been the victim of people who deliberately implicated him in the assassination.

"The physical evidence was collected and examined by the Dallas police. The witnesses against him were first located and questioned by the Dallas police. The Warren Commission's case against Oswald was essentially the case that had been built by Dallas police as of Nov. 23, 1963. The conclusion seems inescapable that at least some of the people who framed Lee Harvey Oswald were members of the Dallas police," O'Toole stated in a book he has written.

However, Curry said the Dallas police never assumed Oswald was guilty.

"The press spread the story of the shooting from the Texas School Book Depository and the public was already being convinced that Oswald was guilty," he wrote in an account of his personal experience in the assassination investigation.

"Some spectators to the front of the motorcade were convinced that the shots came from ahead and to the right, perhaps from the triple underpass or the parking area above the grassy knoll where Elm Street begins its descent into the underpass," wrote Curry.

(Indicate page, name of newspaper, city and state.)
"The Dallas Times Herald"
Dallas, Texas

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Date: 3-12-75
Edition:
Author:
Editor: Kenneth P. Johns
Title:

Character:
or
Classification:
Submitting Office: Dallas

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SEARCHED ___ INDEXED
SERIALIZED ___ FILED
MAR 14 1975
FBI — DALLAS

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Voice Test Cited

Did Oswald Tell Truth?

By JOHN GEDDIE
Washington Bureau of The News

WASHINGTON — An electronic study of the stress patterns in the recorded voice of Lee Harvey Oswald shows Oswald spoke the truth when he said he did not kill President John Kennedy, a former Central Intelligence Agency official said Monday.

The former agent, author George O'Toole, said he identified "perhaps dozens" of persons still lying about the assassination or the subsequent investigation.

But the basis for a major theory section in O'Toole's new book, The Assassination Tapes, was immediately discounted by former Dallas newsman Alonzo (Lonnie) Hudkins, who was cited in the book as learning from official sources that Oswald was an FBI informant.

HUDKINS SAID in an interview later Monday that he and two other Dallas men fabricated the FBI-Oswald story as a device to determine whether their telephones were being tapped. O'Toole, identified as a former CIA computer specialist, based his claim that Oswald was innocent on the findings of a "psychological stress evaluator," an instrument often described as a "voice lie detector" now used by industry and some police departments.

Oswald's voice showed an absence of stress signals, he said, claiming that although the presence of stress may not always indicate lying, an absence makes him "completely sure the speaker was telling the truth."

He used the PSE to study a recording of Oswald denying that he killed President Kennedy and also examined statements made more recently in Dallas. He said his conclusions were supported by several PSE experts, including a co-inventor of the device and the first policeman to use it. O'Toole said the PSE is in use by more than 90 law enforcement agencies.

O'TOOLE SAID he used the PSE to examine several interviews in Dallas, using the information as the basis for studies of documents in Dallas and Washington.

"For example, in my PSE analysis of statments made by present and former members of the Dallas police the PSE led me to the discovery of 10 separate misstatements regarding critical links in the chain of evidence linking Lee Harvey Oswald to the assassination," he said.

"While I can offer no innocent explanation for such misstatements, neither do I claim that, beyond any question, the speakers were lying."

In a chapter of the "framing" of Oswald, O'Toole offers a hypothesis that Oswald worked as an informer to the FBI, in tracing the theory, he said then-Atty. Gen. Waggoner Carr first passed on the rumor to the Warren Commission. Carr's source, he said, was Dist. Atty. Henry Wade. A Secret Service report identified the source as Deputy Sheriff Allan Sweatt.

Documents examined by O'Toole indicated the Warren Commission sought to determine the source of a story on the link written by Hudkins for a Houston newspaper and later determined Hudkins learned of it from Sweatt.

HUDKINS, WHO was present for O'Toole's press conference, said later that his involvement in the FBI-Oswald story began when he and two friends discussed in late 1963 the possibility that their phones were electronically bugged. As a result, he said, they set up a 3-way phone conversation in which they discussed the informer rumor and mentioned a fictitious FBI file number for agent Oswald.

"I have no idea whether he worked for the FBI or not," Hudkins said Monday.

However, the story and fictious FBI number soon appeared in a column written by Dorothy Kilgallen, he said. Hudkins said he decided to reveal the story when the rumor remained active, most recently repeated on a network television documentary.

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Date: 3-11-75
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Editor: Tom J. Simmons
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or
Classification:
Submitting Office: DALLAS

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Hays, Hughes Are Satisfied With Warren Report on JFK

By JAMES DUNLAP

Despite the new wave of doubt surrounding John Kennedy's assassination, two people painfully familiar with the event said Saturday they are satisfied with the Warren Commission's findings.

Brooks Hays, a special assistant to the late President Kenedy and a pallbearer at his funeral, said, "I'm satisfied that the Warren Commission did a competent job, and I'd be unhappy to see the investigation reopened, unless there's some powerful, new evidence."

Judge Sarah T. Hughes, who swore Lyndon Johnson in as president after Kennedy's death, also said she is satisfied with the commission's results.

Although neither Hayes nor Judge Hughes watched it, a film of the assassination was aired last week on television. Its narrators contend it shows a bullet striking Kennedy from the front, proving more than one assassin was involved.

HAYS, WHO served as a congressman from Arkansas for 16 years, addressed a group of Dallas and Fort Worth alumni of The George Washington University, Washington, D.C. at a dinner at former state Senator Mike McKool's home.

Hays and Judge Hughes graduated from The George Washington University Law School in 1922.

"There will always be some who will question the findings of any judicial tribunal," said Hays, who now spends most of his time in Washington, D.C.

"After more than 100 years, some people still question whether it was John Wilkes Booth's body that was found in that barn," he added.

Judge Hughes said, "Some people are always looking backward, but I believe in looking forward. Nothing can bring Jack Kennedy back to life."

CONCEDING THAT Gerald Ford has a lot of advantages in the 1976 presidential race, Hays said he is waiting until the field narrows before predicting who'll win the Democratic nomination.

"I'm maintaining a position of exalted neutrality right now," he added.



—Dallas News Staff Photo.

Brooks Hays . . . "unhappy" if new probe is started.

"But I doubt very much that Gov. Wallace will be anything like the factor he has been in the past," Hays said. "The thing that plummeted him into national prominence is like a ball of twine that has run out."

The former congressman said the "thing" he was referring to was Wallace's unrealistic point of view on the racial issue.

"And I've not seen yet any true signs of repentance," Hays added.

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Edition:
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or
Classification:
Submitting Office: DALLAS

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Yarborough Won't Ask For New JFK Probe

Former U. S. Sen. Ralph Yarborough, correcting news reports earlier this week said Saturday he favors another investigation into the John F. Kennedy assassination but he will not request it.

Yarborough said Congress should conduct the investigation but is burdened with too many "crucial things" for it to be done at this time.

"I think it should be reopened and a thorough investigation had, but I personally do not intend to request it," he said. "So many people are dissatisfied with the Warren Commission report . . . (that) in time I feel this will be reopened. It will be when the people demand it."

Although he watched ABC-TV's showing of Abraham Zapruder's home movie of the assassination, the former senator said the film had not affected his opinions.

"I didn't come to this conclusion suddenly," he said. "My opinions have been formed years ago on this thing."

He said there were no shots fired from the front, as it appeared in the film, and three shots, not two as reported by the Warren Commission, were fired.

Yarborough was riding two cars behind the limousine in which the late President Kennedy and former Texas Gov. John B. Connally were shot on Nov. 22, 1963.

"No one in the whole world hardly believes that one man did it except in the United States," he said. "I do not say there was more than one person, but I do say this—most of the books written about it (the assassination) are in gross error . . . . They've been written to sell rather than explore the facts."

Yarborough said the nation owes an obligation to the Kennedy family to demand that the investigation be reopened.

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U.S. denies new evidence in JFK death

Times Herald Washington Bureau

WASHINGTON — The Justice Department is advising congressmen it has found no significant or new evidence in the assassination of President John F. Kennedy.

A spokesman said several northeastern congressmen have forwarded to the department letters from constituents inquiring about allegations by Comedian Dick Gregory that he has new evidence about the assassination.

The department denied reports by Dallas sources that it had asked Asst. U.S. Atty. Kenneth Mighell in Dallas to examine any new information on the assassination.

The spokesman said Mighell has not found any new evidence since he began taking information on the Kennedy case two months ago at the urging of a Dallas radio talk show host.

In Dallas, Mighell said he has not uncovered any new evidence in the assassination and that from viewing a film of the assassination it appears at least one shot came from the front because Kennedy's head appears to jerk backward.

However, he said, all scientific reconstruction of the head wound shows it could be a rear entry shot rather than a front entry as the film apparently shows.

Because of the scientific reconstruction and an opinion formed by viewing the film, Mighell said, "You have two apparently conflicting sets of circumstances about which the ordinary citizen cannot make any determination."

A former head of the Central Intelligence Agency's problem analysis branch will promote Monday a book on the Kennedy assassination he says will prove that Lee Harvey Oswald did not kill anyone in Dallas on Nov. 22, 1963.

George O'Toole, who has written a number of magazine articles and books on intelligence since leaving the CIA, claims he has a "new method" of ascertaining Oswald's innocence using films, recordings and other documentary evidence.

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or
Classification:
Submitting Office: Dallas

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Rockefeller Panel to Probe CIA Link to Kennedy Death

By JOHN CREWDSON
© New York Times News Service, 1975

WASHINGTON — The Rockefeller Commission on the Central Intelligence Agency is looking into allegations that the CIA was somehow involved in the assassination of President Kennedy in 1963, according to informed sources close to its investigation.

One focus of the Commission's inquiry, the sources said, is the recent assertion of a group headed by Dick Gregory, the comedian and civil rights activist, that E. Howard Hunt Jr. was seized by the Dallas police near the Kennedy assassination site within minutes of the shooting.

Hunt, convicted two years ago of conspiring to carry out the Watergate bugging plot, was a clandestine political officer for the CIA at the time President Kennedy was murdered.

THE GREGORY group's charge is founded on photographs published last year in underground newspapers and elsewhere purporting to show Hunt and Frank A. Sturgis, another of the convicted Watergate burglars, being led by the police away from a grassy knoll across from the Texas School Book Depository Building.

Hunt, in testimony before the Rockefeller Commission, reportedly denied that he was in Dallas at the time of the assassination or that he knew Sturgis then.

Sturgis reportedly was employed by the CIA as an operative in the Miami area around the time of the Agency-inspired Bay of Pigs invasion of Cuba in 1961.

The School Book Depository was identified in the final report of the Warren Commission, which investigated the Kennedy assassination, as the location from which Lee Harvey Oswald fired the shots that killed President Kennedy and wounded John B. Connally, then Governor of Texas, as they passed by in a motorcade.

DAVID M. BELIN, the executive director of the panel headed by Vice President Rockefeller, the Presidential Commission of CIA activities within the United States declined Friday to comment on specific areas of the panel's inquiry or on any tentative conclusions it might have reached.

The Commission has decided, Belin said, to release its findings about the nature and scope of the CIA's domestic activities only after its investigation has been completed.

Belin, an Iowa lawyer who served as a counsel to the Warren Commission, said that although it was not his intention to "reopen the entire investigation of the assassination" of President Kennedy, "the allegation has been made that the CIA, and particularly Hunt, was in Dallas on 22 Nov. 1963."

After leaving the Warren Commission, Belin wrote a book analyzing its work entitled, "You Are The Jury," supporting the conclusion that Oswald was the lone killer of both President Kennedy and J. D. Tippit, a Dallas police officer slain shortly afterward outside a movie theater.

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after the assassination, "states that he can't tell the truth in Dallas. He wants to be taken to Washington.

"He says 'you will never see me alive if you don't get me out of Dallas.'"

Schoenman said Ruby told this to then Chief Justice Earl Warren, then U.S. Rep. Gerald Ford and Houston attorney Leon Jaworski, among others. Ford, now president, was a member of Warren's Commission investigating the assassination and Jaworski, later special Watergate prosecutor, was representing then Texas Atty. Gen. Waggoner Carr in 1964.

Rivera ended the show by stating "there are just too many loose ends."

Shapiro showed the film despite a warning from Time Inc., owner of the copyrights to the film movie, that it had "not authorized the showing of the film." Time asked him not to run the film.

Shapiro said Arlen Specter, an assistant counsel to the Warren Commission, will appear on Wide World of Entertainment later this month to present his case for the commission's findings that a lone assassin killed Kennedy.

(Mount Clipping in Space Below)

Shooting Gory Sight

Kennedy's Head Thrown Backward, Film Shows

By EARL GOLZ

Many television viewers here saw for the first time Friday morning the gory sight of President John F. Kennedy's head thrown backward as he was blasted with an assassin's bullet in Dallas 11 years ago.

The film, shown for the first time nationally by the American Broadcasting Co., was billed by its narrators as proof that at least one shot hit the president from the front.

Compacted onto a television screen, the 8 millimeter film lost much of the detail that was visible when one of its narrators, Robert Groden of New York, showed it on a movie screen in Dallas earlier this week.

The 90-second film was shown locally by WFAA-TV on its Wide World of Entertainment show after 468 people protested by telephone in one day when station president Mike Shapiro at first decided not to air it.

Shapiro said only two people called to ask that the station not show the film.

An ecumenical group of Dallas clergymen made an unsuccessful attempt Thursday to stop the station from showing the movie. The Dallas Pastors Association approved a "statement of concern" by a vote of 12 to 3 stating that showing the film "serves no constructive purpose for the country or the citizens of Dallas."

Shapiro, in a disclaimer read before the show began at midnight, said viewers "are not going to see, by looking at the film, any new version of the assassination. It just doesn't exist in the television version on ABC. What you are going to see is going to be shocking . . ."

Geraldo Rivera, host for Wide World of Entertainment, told his audience before the film was shown after 1 a.m. that "if you are at all queasy, then don't watch this film. Just turn on the late night movie because this is very heavy."

Groden said as the film showed Kennedy being hit by gunfire and part of the right front of his skull was blown off that "the violent backward motion is totally consistent with 80 per cent of the witnesses who said the shot came from the grassy knoll in front and to the right."

The Warren Commission concluded in 1964 that Kennedy was shot by a lone gunman, Lee Harvey Oswald, from the sixth floor of the Texas Book Depository building to the rear of the president's car.

Notably cut from Groden's version of the film originally made by Dallas dressmaker Abraham Zapruder is a scene which Groden asserts shows a second gunman behind the west retaining wall of the white colonnade on the grassy knoll.

In the commentary that followed the film, historian and writer Ralph Schoenman stated that Oswald was an agent of the Central Intelligence Agency.

Schoenman said a Secret Service report, "which the Warren Report chooses not to discuss," refers to Allan Sweatt, chief criminal deputy sheriff in Dallas County, "who discusses the FBI number of Lee Harvey Oswald, S172."

"And the document makes reference to a CIA number for Oswald, No. 11069," Schoenman said.

The historian-writer also said testimony of Jack Ruby, Dallas nightclub operator who killed Oswald two days

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Edition:
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Character:
or
Classification:
Submitting Office: DALLAS

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where Oswald or whoever fired the Commission said acted alone in the assassination. "Powder was falling right on us."

In calling for a new investigation, Yarborough said he was opposed to putting it in the hands of the Rockefeller Commission investigating CIA activities.

"People will not trust an executive committee because they think it would be trying to protect the CIA," he said.

He said he has not strong feelings either way on whether a conspiracy was involved in Kennedy's death—as some critics have claimed—but he said the investigation also should involve allegations several persons have possession of documents indicating Oswald was a CIA agent and that Jack Ruby received a phone call to kill Oswald after the assassination.

Ruby shot Oswald two days later as the suspected assassin was being transferred from Dallas City Jail to counyt jail.

Yarborough also called for the opening of assassination documents which were ordered sealed for 75 years.

"The suspicion is so great among the public that we ought to open up the sealed documents," he said.

"There just haven't been enough facts to prove there was a conspiracy" and therefore he said he would like to see another investigation. "It doesn't mean the general conclusion (of the Warren Commission) was wrong," he said.

Former Newsweek magazine bureau chief Hugh Aynesworth, who also viewed the film "for my 14th time" early today, said it is "too blurred to allow anything to be proved from watching it."

Watching the film "is still quite stark," he said. "But unfortunately for those of us who wanted to know more, it really proves nothing."

Barefoot Sanders, Dallas County campaign manager for the JFK-LBJ during their 1960 presidential drive and a Kennedy-appointed U.S. attorney, said Thursday afternoon he had no plans to stay up and watch the film on television.

"I am sure it still would be there — the impression of horror . . . It has a macabre interest," he said.

"I suppose, too, there always will be a natural reluctance to believe any single gunman would have, or could have, done alone a deed that could take so great a man from us. I know my immediate reaction—that there almost had to be someone else with Lee Harvey Oswald," Sanders said.

He said, however, he believes the Warren Commission addressed itself well to the investigation.

"But with all the investigation then, and during more than 11 years that have passed since tha time, no one has come up with anything that would show Oswald did not act alone . . ." he said.

The Dallas Pastors Association presented WFAA-TV a resolution urging the film not be shown since "it serves no constructive purpose."

(Mount Clipping in Space Below)

New JFK death probe urged

Yarborough wants rumors 'laid to rest'

By DAVE MONTGOMERY
Staff Writer

Former U. S. Sen. Ralph Yarborough today called on Congress to open a new investigation into the John F. Kennedy assassination "to lay all this to rest once and for all."

Yarborough, who watched ABC-TV's showing of the late Abraham Zapruder's film of the assassination at his Austin home, said he disagrees with Warren Commission findings that only two shots are fired. He said he heard three within a span of about five seconds as the car in which he was riding was passing underneath the School Book Depository building during the President's motorcade on Nov. 22, 1963.

Americans around the country got their first look at Zapruder's historic amateur movie during its showing on the "Goodnight, America" segment of ABC's "Wide World of Entertainment"

The film, which Dallas affiliate WFAA-TV originally said it would not air, was shown locally after the station received several hundred telephone calls urging it be aired.

Prior to its showing, however, station president Ike Shapiro read a disclaimer saying viewers "are not going to see . . . any new version of the assassination . . . What you are going to see is going to be shocking."

The film had been shown five times during the New Orleans trial of Clay Shaw and CBS-TV subsequently presented a four-part serialization of the tragic weekend, centering most of its attention on frames covering the time when three shots rang out—the first and third striking Kennedy and the second hitting Texas Gov. John Connally.

Yarborough, who was a U.S. senator at the time of the assassination, was riding two cars behind the Kennedy vhicle and in the company of then Vice President Lyndon Johnson and his wife, Mrs. Johnson.

When the shots rang out, he said his first reaction was "the noise and the smell of gunpowder.

"We were right under the trajectory shot was," he said, referring to Lee Harvey Oswald, whom the Warren

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Edition:
Author:
Editor: Kenneth P. Johns
Title:

Character:
or
Classification:
Submitting Office: Dallas

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'Conflicting'

Attorney Views JFK Shooting

By EARL GOLZ

The federal attorney who is examining any new evidence submitted here on the assassination of President John F. Kennedy said Friday he has no explanation for the violent reaction of Kennedy's head "other than a shot from the front."

However, Assistant U.S. Atty. Kenneth Mighell added that "just as unexplainable is the fact that the physical evidence of the head would indicate that the bullet entered from the rear and exited from the front."

Mighell said he doesn't have "any rational explanation for these two irreconcilable conclusions since my expertise is not in this field."

He said he viewed the American Broadcasting Co.'s televised showing early Friday morning of Robert Groden's version of the assassination film made by Dallas dressmaker Abraham Zapruder.

Groden, a New York industrial slide technician, showed a blown up, slow motion view of the film where gunfire blasts away a portion of Kennedy's head. At the time, the head jerks backward violently and Groden maintains it is a reaction to a shot from the front.

The Warren Commission concluded in 1964 that Kennedy was killed by a lone assassin, Lee Harvey Oswald, who fired three shots from a rifle in a sixth floor window of the Texas Book Depository building. The two shots that struck Kennedy came from the rear of the presidential car, the commission stated.

"The fact that the front and left temporal area of the head was violently removed is completely incompatible with an entry from the front," Mighell told The News. "Also, the Groden film clearly shows a violent expulsion of brain matter from the front of the head at the moment of impact and this is not compatible with a shot from the front."

Mighell said he is examining any new material and information about the assassination and will forward it to the U.S. Justice Department in Washington for evaluation if it looks like "new evidence."

So far, none of the information submitted to Mighell, all provided by one man, can be categorized as new evidence, Mighell said.

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or
Classification:
Submitting Office: DALLAS

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RFK aide asks probe re-opening

Cites nation's sanity, questions

By KAY STEWART
Staff Writer

Frank Mankiewicz, a close political associate of the Kennedys in the 1960s, has endorsed reopening the investigation of John Kennedy's assassination.

"It's got to be reopened for the sake of the nation's sanity," Mankiewicz told journalism students at Southern Methodist University Monday. He was in Dallas to promote his recent book on the downfall of Richard Nixon.

"The nation is alive with questions about the whole thing and the answers haven't been provided. We can't let this thing eat away at the country," he said.

Mankiewicz, who was campaign manager for George McGovern during his run for President in 1972, predicted McGovern could defeat any of the announced Democratic candidates in primaries and speculated McGovern might enter the race.

"If a candidate he doesn't consider worth backing isn't running, then there is every reason to believe McGovern will become a candidate," Mankiewicz said.

He indicated, however, McGovern might back Arizona congressman Morris K. Udall, who has announced. "Udall would be strong," Mankiewicz said.

Mankiewicz downplayed the possibility of Texas Sen. Lloyd Bentsen becoming the Democratic nominee.

"He couldn't put it together in the primaries," he said. "Washington people have serious difficulty thinking Lloyd Bentsen is a serious candidate."

He added no real presidential candidate has yet emerged. "What I've seen so far is vice presidential material," he said.

Mankiewicz, a California lawyer before he turned to politics and journalism, takes strong issue with legal events in his new book, "The U.S. vs Nixon; The Final Crisis," which is critical of most of Nixon's legal forces.

"It is hard to be critical of a fellow attorney, but these men forgot their legal rules and unfortunately fell into the role of becoming public relations men for Nixon," he said.

He is particularly critical of James St. Clair, Nixon's prime legal counsel during Watergate and John Wilson, who represented H.R. Haldeman and John Ehrlichman.

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exist? The scanty scraps used to test Oswald's modulation and stress fail to impress these law agencies.

PRESIDENT KENNEDY was killed by a conspiracy, says O'Toole in press conference and via the prestigious NBC Today show. "The man who paid with his life for that crime in the basement of the Dallas city hall was innocent."

The O'Toole entrance into the sad exhumation of theories surrounding the death of the young President, followed by a few hours a late-night television showing of the late Abraham Zapruder's home movie of the assassination. It, too, was beamed at the conspiracy angle.

No one, in the rush for recognition and commercial ventures of a dozen years later, seems to recall the brilliant piece of police work within an hour after the murder of a President in a community of more than a million that Lee Harvey Oswald was arrested after a gun struggle in a small Oak Cliff theater.

Or that he had fled the Texas Book Depository after the assassination, killed patrolman Tippitt who had recognized him from a red-alert fugitive broadcast and then sought to hide in the theater.

Or the hundreds of other pieces of evidence the police, the FBI, the Secret Service, the Warren Commission put together.

Indefensibly, it all melted in the killing of Oswald in the basement. The act that now brings on the theories and the books.

(Felix McKnight is vice-chairman of The Times Herald.)

(Mount Clipping in Space Below)



FELIX R. McKNIGHT

Now, misty theories

NOW COMES a fresh rolling wave of hindsight stories and misty theories on the tragedy that took the life of John Fitzgerald Kennedy in Dallas nearly 12 years ago.

Crime authors, in promoting sales of their books via willing television networks, radio networks and newspapers, insist that the distinguished Warren Commission and enforcement agencies perpetrated a leaky, if not fraudulent, report and that the whole dreadful moment of history should be reopened for further examination.

The latest challenge to the Commission's conclusion that Lee Harvey Oswald killed the President comes from author George O'Toole, a former CIA man, who called a press conference to launch his book—and got a roomful of listeners.

Few, if any, of the reporters present in Washington ever heard of George O'Toole but his flat assertion that Oswald was innocent of assassinating President Kennedy was duly reported.

NOT ONLY INNOCENT, but "framed" by the Dallas police department and unnamed FBI agents, says author O'Toole. And he can prove it all through an electronic device invented in 1970—the psychological stress evaluator, or PSE.

Oswald, says O'Toole, was telling the truth when he denied during police interrogation prior to his murder by strip-tease operator Jack Ruby, that he killed President Kennedy, police officer J.D. Tippitt or anybody else.

The psychological stress evaluator said he was telling the truth," O'Toole told the press conference in unwrapping his book. The machine, he said, determines right or wrong through reading voice modulations.

O'Toole, through his reading of scraps of tape recordings gathered when a horde of newsmen shoved microphones into Oswald's face as he was being hustled down a Dallas city hall corridor, now comes to "the inescapable conclusion" that at least some of the people who "framed" Oswald were members of the Dallas police department.

AND IN A FINAL sweep O'Toole says his PSE evaluation of other taped "official" conversations lead him to the theory that Oswald was an FBI informer; that some FBI agents may have been involved in the assasination plot and that some Warren Commission witnesses lied in key testimony.

Which FBI officials crisply deny—with valid reason.

What tapes, they ask, did booksselling O'Toole study on his PSE machine? The Times Herald has learned from Dallas police and FBI sources that no interrogation tapes are available.

Did O'Toole come to his PSE-tested accusations against Dallas police and the FBI from studying the brief, confused remarks Oswald made in the jostling crowd of microphone reporters?

Lee Harvey Oswald was not available for tape recordings during one of the most intensive interrogations in history. Is this scrambled corridor "interview" the basis for O'Toole's book, "The Assasination Tapes"?

Or does he have access to tapes that the Dallas police and FBI deny

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Date: 3-12-75
Edition:
Author:
Editor: Kenneth P. Johns
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or
Classification:
Submitting Office: Dallas

☐ Being Investigated

SEARCHED — INDEXED
SERIALIZED — FILED
MAR 14 1975
FBI — DALLAS



—Star-Telegram Photo

REASONABLE DOUBTS? — Geralo Rivera, displaying a copy of the Warren Commission report and a 1966 copy of Life Magazine questioning the commission's findings, said Monday at TCU that there are enough unanswered questions to warrant reopening the investigation of the assassination of President John F. Kennedy.

gon Papers and Watergate, Rivera told a Star-Telegram reporter.

"You don't have to get into any kind of baloney when you question the Warren Commission's findings," he said. "There are enough facts to question without doing that."

Rivera, an attorney who represented the poor before joining WABC-TV in New York in 1970, said he makes no pretense of "objectivity" in his reporting; he said a reporter can be factual without being objective.

He said he once debated an ABC executive who used the word "objectivity" 16 times in 15 minutes.

"But he never defined what he meant by the word," Rivera said. "Two reporters can cover the same event and write two different stories, even though both will have the same facts."

Rivera said "credibility is my stock in trade."

"No one can say I have been untruthful or unfactual in my reporting," he said. "A reporter is like the government in one respect—if you lie to the people, they won't believe you for a long time."

(Mount Clipping in Space Below)

TV host convinced JFK slaying merits study

By GUY DRAUGHON

Geraldo Rivera, who late last week on network television showed the Kennedy assassination film taken by Dallas dressmaker Abraham Zapruder, said it is time to take "a nonpartisan, apolitical look" at evidence surrounding the slaying of former president John Kennedy.

"I'm not talking about left-wing or right-wing accusations," Rivera stressed while at TCU Monday to speak to students during a Forums Committee program.

Rivera, award-winning host of ABC's "Good Night, America," a part of the networks "Wide World of Entertainment," said Monday he plans a follow-up program March 27 on the assassination.

The television host said former Texas Sen. Ralph Yarborough, who was riding in the motorcade when Kennedy was shot, has agreed to appear on the program.

Rivera said he hopes also to get former Gov. John Connally to appear on the same show and "would like to get Mrs. Oswald (Marguerite Oswald, mother of alleged assassin Lee Harvey Oswald) to appear."

Rivera's guests on last Thursday's after-midnight show were political figure and comedian Dick Gregory and Robert Groden, who are attempting to reopen the investigation of the assassination. Both claim new evidence indicates the "lone assassin" finding by the Warren Commission is incorrect.

"I refuse to speculate, and I don't know, whether Gregory and Groden are correct, but I think that there are enough unanswered questions to raise doubts," Rivera said.

Rivera said the show with the two was unrehearsed, but he said he is convinced Gregory is sincere in his drive to reopen the hearing. He said Groden seems sincere in his beliefs too.

Rivera, 31, who has earned four Emmys and the Robert F. Kennedy Journalism Award, referred, as he talked, to a much-underlined version of the Warren Commission report and a 1966 copy of Life Magazine in which the commission's findings are questioned.

The questioning story appeared before the American public was disillusioned about the Vietnam war, the Penta-

(Indicate page, name of newspaper, city and state.)
4A Fort Worth Star-Telegram Fort Worth, Texas

Date: 3/13/75
Edition: Morning
Author:
Editor: Jack Butler
Title:

Character:
or
Classification:
Submitting Office: Dallas

☐ Being Investigated

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Moore

DATE: 4/18/75

FROM : Mr. Heim
CJH

SUBJECT: QUINN MARTIN PRODUCTIONS
AND WARNER BROTHERS
FBI MOVIES FOR CBS-TV

Quinn Martin telephoned J. M. Murphy in your (Mr. Moore's) office Wednesday afternoon to advise that CBS has asked him to consider producing a film regarding the November, 1963, assassination of President John F. Kennedy as the next movie in the series of films regarding landmark FBI investigations which Quinn Martin Productions and Warner Brothers are producing for CBS-TV.

(The first of these movies was based on the Barker-Karpis Gang and was telecast by CBS in November, 1974. The second was a two-part film entitled "Attack on Terror: The FBI Versus the Ku Klux Klan" that was telecast in February, 1975. The Bureau lent its full cooperation in the production of both films, including permission for the use of the FBI Seal, as well as a "credit line" acknowledging our assistance.)

CBS has told Martin that two other television networks (undoubtedly NBC and ABC) have tentative plans to telecast programs regarding the Kennedy Assassination during the forthcoming 1975-76 television season.

Martin is most enthusiastic about the prospect of doing an authentic-type dramatization of the Kennedy Assassination. His purpose in calling was to "sound us out" on the idea and to solicit our full cooperation in this film. He hinted, however, that he might go ahead with the movie even if the Bureau chose not to cooperate in its production; and he pointed out that an abundance of information is readily available in the printed hearings of the Warren Commission and in other published material concerning the Kennedy Assassination.

1 - Mr. Moore
1 - Mr. Cleveland
1 - Mr. Gebhardt
1 - Mr. Mintz
1 - Mr. Wannall
1 - Mr. White

MAY 2 1975

CONTINUED - OVER

GWG:lad
(11)

COOPERATION IN FILM DISCUSSED WITH OTHERS AT FBIHQ:

In view of the intense international interest that continues to be shown the Kennedy Assassination, as well as the important and unique considerations involved in this request, yesterday the External Affairs Division discussed Quinn Martin's overture with representatives of other interested Headquarters Divisions. In these discussions, the feeling was unanimous that the FBI should not accede to Martin's request. The following are among the reasons cited for taking this position:

(1) The Warren Commission was established by President Johnson as the premier authority in the Kennedy Assassination. The FBI was among the agencies that cooperated closely with the Warren Commission, furnishing copies of our reports to the Commission and conducting investigation, as well as examinations, which the Commission requested. (Secret Service, the Dallas Police Department and CIA were among others prominently involved.) In view of the fact that our role, though highly important, was essentially a supportive one, unilateral action on our part in cooperating in a filmed dramatization of the Kennedy Assassination could evoke protests and criticisms.

(2) Invasion of privacy is an unavoidable consideration in such a film. Members of the families of two former Presidents (Johnson and Kennedy), as well as Mr. and Mrs. John Connally and th family of Lee Harvey Oswald, are among the many persons whose priva is involved. Oswald's mother, in particular, is known to be prone to file law suits and can be expected to do so against any major network that telecasts a dramatization of her son's involvement in this crime.

(3) An avalanche of requests under the Freedom of Information Act for data regarding our investigation of the Kennedy Assassination could be expected if we cooperated in the production of such a film. Up to this point, such FOIA requests (such as one received from well-known FBI antagonist Mark Lane) have been declined on the basis of privacy--which basis for declination would be considerably weakened by our participation in a filmed dramatization of the Assassination investigation.

CONTINUED - OVER

(4) The Rockefeller Commission currently is conducting hearings regarding the CIA--which proceedings include CIA's involvement in the Kennedy Assassination case. There is a possibility that this aspect of the Commission's hearings may ultimately result in the FBI's being drawn into the hearings--thereby raising questions regarding our agreeing to participate in the production of a film regarding the Assassination case. (The Senate Select Committee on Intelligence Operations also plans to inquire into allegations of CIA involvement in the assassination--according to a report published in "The Washington Post" last month.)

(5) Last month, "TV Guide" featured an article by Mr. Kelley in which he stated, "Extensive publicity regarding a crime, particularly a spectacular crime, can trigger more of the same....many persons in our society are, for one reason or another, psychologically primed to explode into criminal action." These words certainly apply to the unknown number of potential political assassins who are at large in the United States. Since 1976 is a Presidential election year--and since CBS undoubtedly would telecast this film in the Fall of 1975 and probably would rerun it in 1976--the danger that it might plant the seed of an idea in the mind of an unstable person, or otherwise be a contributing factor in an act of violence against a major candidate, is undeniable.

(6) The Kennedy Assassination has been a focal point of rumor, conjecture, and controversy since November, 1963. The proposed film--particularly if the FBI cooperates in its production--undoubtedly will be used by critics of the Warren Commission and other self-appointed Kennedy Assassination "experts" to launch new barrages of criticism and controversy.

RECOMMENDATION:

That Mr. Murphy return Quinn Martin's telephone call and tell him we are unable to cooperate in this film for the reasons cited above. Martin should be told that we will be glad to discuss cooperating in the production of a TV-movie concerning another case (such as the Rudolph Abel or the Kurt Ludwig espionage cases); however, that we cannot participate--nor permit the use of the FBI Seal--in a film involving the Kennedy Assassination.

MBM:lw pm Agree

GSA GEN. REG. NO. 27

UNITED STATES GOVERNMENT

Memorandum

Assoc. Dir. ✓
Dep. AD Adm. ___
Dep. AD Inv. ___
Asst. Dir.:
Admin. ___
Comp. Syst. ___
Ext. Affairs ___
Files & Com. ___
Gen. Inv. ___
Ident. ___
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Laboratory ___
Plan. & Eval. ___
Spec. Inv. ___
Training ___
Legal Coun. ___
Telephone Rm. ___
Director Sec'y ___

TO : MR. JENKINS

DATE: 4/23/75

FROM : D.W. MOORE, JR.

SUBJECT: QUINN MARTIN PRODUCTIONS
AND WARNER BROTHERS
FBI MOVIES FOR CBS-TV

By memorandum 4/18/75, Heim to Moore, captioned as above (attached), it was recommended and approved that Mr. Murphy in my office advise Mr. Martin that we would be unable to cooperate with him in doing a film based upon the assassination of President John F. Kennedy, as the next movie in the series of films regarding landmark FBI investigations which Quinn Martin Productions and Warner Brothers are producing for CBS-TV.

Mr. Martin was contacted today and when advised of the numerous reasons which would preclude our official cooperation with him, as enumerated in referenced memorandum, Mr. Martin stated that he could certainly understand the reasons for Mr. Kelley's decision in this matter and would have responded the same way if their roles were reversed. He stated that this would certainly have no bearing on the splendid relationship between the FBI and Quinn Martin, as well as CBS, and he was hopeful that he could continue to favorably portray the FBI in other landmark cases. He stated he would confer with his associates as well as those with CBS-TV on other possible productions of TV movies based upon FBI cases and he would be back in touch with us. He requested that his best wishes be extended to Mr. Kelley.

RECOMMENDATION:

For information.

ENCLOSURE

Enc.

1 - Mr. Moore
1 - Mr. Cleveland
1 - Mr. Gebhardt
1 - Mr. Mintz
1 - Mr. Wannall
1 - Mr. White
1 - Mr. Heim

MAY 2 1975

56 MAY 14 1975

JMM:jo
(8)

FBI

Date: 4/18/75

Transmit the following in _____ (Type in plaintext or code)

Via AIRTEL _____ (Priority)

TO: DIRECTOR, FBI (62-109060)

FROM: SAC, DALLAS (89-43)(P)

ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY,
11/22/63, DALLAS, TEXAS
MISCELLANEOUS - INFORMATION CONCERNING

OO: DALLAS

Former Special Agent (Retired) JOHN W. FAIN has advised that on 4/16/75, he was contacted telephonically by an individual identifying himself as HARRY MOSES of CBS, who stated he was gathering information in captioned matter to be used on the CBS program "60 Minutes." MR. MOSES stated he wanted to talk to former SA FAIN to ascertain his "impressions of the guy (OSWALD)." He indicated he was talking to numerous persons and planned to interview LEE HARVEY OSWALD's brother. MOSES stated that he thought he had read something one time to the effect that former SA FAIN had asked OSWALD when interviewed if he was a "secret agent of the United States Government." MR. MOSES requested an interview with former SA FAIN and stated he would fly to Dallas within the next couple of weeks.

Former SA FAIN states he advised MR. MOSES that he preferred to refrain from making any comment pointing out that he had very little contact with OSWALD; it was a number of years ago; and that all information obtained by him was recorded in the FBI files.

On 4/17/75, former SA (retired) W. HARLAN BROWN telephonically advised he was in receipt of a telephone call on that date from an unknown individual who identified himself as one of the producers of the CBS television program "60 Minutes." This individual indicated that information had been

REC-38 62-109060-7174

(2) Bureau
1- Kansas City (105-1736)(Info)
2- Dallas
RPG/wvm
(5)

EX-110

15 APR 21 1975

51 MAY 05 1975

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

U.S. GOVERNMENT PRINTING OFFICE : 1969 O - 348-320 (12)

received from their "sources" that BROWN had interviewed LEE HARVEY OSWALD subsequent to the assassination with Special Agent JAMES P. HOSTY.

BROWN stated he told the caller this was not true and that he had never interviewed OSWALD with HOSTY or anyone else. The caller then inquired as to whether BROWN had ever interviewed OSWALD's wife MARINA, or OSWALD's brother, and this, too, was denied by BROWN.

The above is furnished the Bureau for its information and a copy of this communication is being furnished Kansas City in order that SA JAMES P. HOSTY may be alerted to the possibility he will be contacted.

April 25, 1975

REGISTERED

Dr. John Nichols
School of Medicine
College of Health Sciences
and Hospital
The University of Kansas
Medical Center
Rainbow Boulevard at 39th
Kansas City, Kansas 66103

Dear Dr. Nichols:

I am returning to you herewith your money order, in the amount of $100, dated April 12th. My letter to you dated April 15th, which was delivered in accordance with your request to the Trans Urban Courier Service, noted the charges for processing material furnished to you totaled $42.60. In order to facilitate the handling of this matter, it is requested you transmit this amount to me by check or money order payable to the Treasurer of the United States.

I trust the information furnished in my April 15th letter will be of assistance to you.

Sincerely yours,

C. M. Kelley

Clarence M. Kelley
Director

MAILED 6
APR 25 1975
FBI

716166

Enclosure

REC 68

2 - The Deputy Attorney General
(Attention: Susan M. Hauser
Quinlan J. Shea, Jr.)

APR 28 1975

thb:eek
(5)

Assoc. Dir. ____
Dep. AD Adm. ____
Dep. AD Inv. ____
Asst. Dir.: ____
Admin. ____
Comp. Syst. ____
Ext. Affairs ____
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Spec. Inv. ____
Training ____
Legal Coun. ____
Telephone Rm. ____
Director Sec'y ____

5 6 MAY 6 1975

MAIL ROOM ☐ TELETYPE UNIT ☐

GPO 954-546

Dr. John Nichols

NOTE: Nichols made several telephonic requests for special handling in connection with the mailing of laboratory documents pertaining to the John F. Kennedy assassination case. He was furnished the charges ($42.60) and thereafter wired a check in the amount of $100 to the Office of the Deputy Attorney General with the request that the excess be applied to have the documents delivered to a TWA flight to Kansas City. He was advised we could not arrange for this type of handling. He thereafter provided for a private courier service to call for the documents at FBIHQ when they were ready for mailing. This was done and receipt from courier service representative is attached.

62-109060-7176

April 30, 1975

Rec. 117

Mr. Francis D. Sobeck
16223 Plummer
Sepulveda, California 91343

Dear Mr. Sobeck:

In reply to your letter of April 25th requesting the FBI to reopen its investigation of the assassination of President John F. Kennedy, this Bureau conducted an intensive investigation in this case at the request of President Lyndon B. Johnson. The results were accurately reported to the President's Commission on the Assassination of President Kennedy which subsequently published a report which included some of the data and photographs we furnished. All available evidence and facts pointed to one conclusion--that Lee Harvey Oswald acted alone in this crime.

From time to time certain questions have been raised by individuals or organizations concerning certain aspects of this case and they have been thoroughly considered by the FBI. I do not feel the case should be reopened at this time.

Sincerely yours,

C. M. Kelley

Clarence M. Kelley
Director

Assoc. Dir. ____
Dep. AD Adm. ____
Dep. AD Inv. ____
Asst. Dirs.
Admin. ____
Comp. Syst. ____
Ext. Affairs ____
Files & Com. ____
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Legal Coun. ____
Telephone Rm. ____
Director Sec'y ____

NOTE: Bufiles contain no identifiable information concerning correspondent.

cam:nlm (3)

MAILED 7
APR 30 1975
FBI

10 MAY 20 1975

MAIL ROOM ☐ TELETYPE UNIT ☐

GPO 954-546

Enterpriz World Trade
FRANCIS D. SOBECK
CALIFORNIA, U.S.A. 91343

Export

Mr. Kelley
Federal Bureau of Investigation
Washington, D.C. 4/25/75

Dear Mr. Kelley

I have just viewed the latest
released filmes on the assassination of the
late J. F. Kennedy.

After my opinion that the members
of the Warren Commission were dedicated
or that they deliberately deceived the
people of the United States

CORRESPONDENCE
REC-117 7 76
1 MAY 1 1975

After your job to investigate the
service of events commencing in 1962 to
the present time and to set the record straight

F. [illegible]

FD-36 (Rev. 5-22-64)

FBI

Date: 4/25/75

Transmit the following in _____ (Type in plaintext or code)

Via AIRTEL _____ (Priority)

Laboratory
Plan. & Eval.
Spec. Inv.
Training
Legal Coun.
Telephone Rm.

TO: DIRECTOR, FBI (62-109060)

FROM: SAC, KANSAS CITY (62-8156) RUC

ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY
11/22/63, DALLAS, TEXAS
MISCELLANEOUS INFORMATION CONCERNING
OO DL

Re Dallas airtel to Bureu 4/18/75.

SA JAMES P. HOSTY, JR. received a person-to-person long-distance telephone call from Houston, Texas, at his residence on either 4/16 or 4/17/75. SA HOSTY was not home at the time and this unknown caller has not attempted to contact him since that date.

EX-110 REC 44 62-[illegible] 7177

For information of Dallas, approximately 2 weeks ago an individual named ALLEN STONE, claiming to be a reporter from Dallas radio station WRR, telephonically contacted SA HOSTY at the Kansas City Field Office and advised he was conducting an investigation of captioned matter. He stated he wanted to question SA HOSTY concerning his conversations with Dallas police lieutenant JACK REVILL and he was advised by SA HOSTY he would make no comment on this or any other phase of captioned matter. STONE then contacted FBIHQ External Affairs and was in contact with SA ED GOODEHAM and asked for information concerning a statement made by

APR 30 1975

2 Bureau
2 Dallas (89-43)
1 Kansas City
JPH:jrt
(5)

7 0 MAY 12 1975

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

U.S.Government Printing Office: 1972 — 455-574

SA HOSTY on 11/22/63 to Secret Service SA PATTERSON concerning OSWALD's contact with two "secret agents". Bureau was advised that this matter had been refuted in SA HOSTY's testimony on 5/4/64 before the President's Commission and was a matter of public record.

SA HOSTY will remain alert to any additional inquiries in captioned matter and will promptly advise Bureau and Dallas.

AIRTEL

To: SAC, New Orleans REC-3 ST-109 5/1/75

From: Director, FBI (62-109060) — 7178

1-Mr. Nettles
1-Mr. Malmfeldt
1-Mr. Deegan

ASSASSINATION OF PRESIDENT JOHN FITZGERALD KENNEDY, NOVEMBER 22, 1963, DALLAS, TEXAS

Enclosed are two copies each of letters dated 4/5/75, and 4/21/75, received at FBIHQ from Roy D. Van Gossen, P. O. Box 909, Alexandria, Louisiana. Also enclosed is a packet containing miscellaneous material which was enclosed with the two letters.

These letters have been reviewed at FBIHQ and found to contain no new information of pertinence to the Kennedy assassination.

Only identifiable reference to writer in Bureau files is a laboratory matter wherein he was mentioned as a remote suspect in the death of bail bondsman F. A. Morgan, which was apparently a suicide.

Bureau files contain several references to a William Doyle Higgins, who is possibly identical with the Doyle Higgins mentioned by the writer. These references show a periphery association of Higgins with the American Nazi Party. Bureau files show this information to have originated from the New Orleans Division.

Encs. (5)

Assoc. Dir. ____
Dep. AD Adm. ____
Dep. AD Inv. ____
Asst. Dir.: ____
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Comp. Syst. ____
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Legal Coun. ____
Telephone Rm. ____
Director Sec'y ____

WEN:dkf
(6)

SEE NOTE PAGE 3. . .

MAILED 11
MAY 1 1975
FBI

5 MAY 2 1975

MAIL ROOM ☐ TELETYPE UNIT ☐

7178

In that it appears the writer is inclined to continually contact the FBI regarding this matter unless dissuaded, the New Orleans Division should personally contact the writer and advise him that the FBI conducted a prompt, intensive, objective, and thorough investigation of the Kennedy assassination, the results of which were fully and accurately reported to the Warren Commission. After a review of all available evidence, that Commission reached a conclusion that Lee Harvey Oswald acted alone in committing this crime.

Appreciation should be expressed to the writer for the concern shown by him in furnishing his information to the FBI. However, it should be explained to him that while the FBI stands ready to reopen any investigation where there are reasonable grounds to do so, there have been no such grounds in this case.

Regarding his question about the door being left open while he was at the New Orleans Office, he should be advised that this is done out of concern for the safety of our employees.

In response to his question as to whether Higgins has been cleared by the FBI, he may be advised that Higgins is not the subject of an FBI investigation.

The enclosed packet of material should be returned to Mr. Van Gossen.

Airtel to SAC, New Orleans
RE: ASSASSINATION OF PRESIDENT JOHN FITZGERALD KENNEDY

NOTE: Writer sent a 9-page letter dated 4/5/75, and a 2-page continuation letter dated 4/21/75, setting forth much information about politics in Louisiana and possible connection of the CIA and American Nazi Party through a friend of his, Doyle Higgins, with Lee Harvey Oswald, prior to the assassination of President Kennedy. He also alleges to have seen Oswald hitchhiking from Alexandria, Louisiana, to Dallas, Texas, in September, 1963. He asks to be advised if Higgins has been cleared by the FBI. He mentions going to the FBI Office in New Orleans on 3/17/75. He continually mentions seeking out a bar when the going gets tough. Bufiles negative regarding the writer except a Laboratory matter wherein writer in 1966 was a [redacted] William Doyle Higgins is mentioned several times in Bufiles as having a periphery association with the American Nazi Party. Telephonic contact with the New Orleans Office reveals writer did visit there in March, 1975, and related basically the same information as contained in his letters. At that time he admitted to being an alcoholic. This communication instructs New Orleans to personally contact the writer, acknowledge receipt of his letters, express appreciation for his concern in writing, advise him there are no reasonable grounds on which to base reopening the investigation, and basically attempt to dissuade him from writing further letters.

April 5. 1975
Alexandria, La. 71301

Mr. Clarence Kelley, Director
Federal Bureau of Investagation
The Department of Justice
Washington, D. C.

Dear Sir:

I am writing you in an effort to get you to reopen the President Kennedy Assassination Case. Feeling that I share the views of Millons of Americans do, that the Warren Commission fell far short, I believe I am on firm ground even though I am not qualified to take exception to the report. Too many prominent defense lawyers have gone on record as stating that with the evidence presented in the Report, that no one could be convicted on those grounds. Or if nothing else, to hold this for future referance.

My reasons for making this request of you are quite simple, but it takes a long story for me to tell it like it is. To make a long story short, I heard and saw a few things, and spoke to a couple of people in September of 1963 that I shouldn't have, one attempt has already been made on my life, I have reason to believe another attempt is going to be made, that the principle subject of my story was doing business with the American Nazi Party and the Central Intelligence Agency, and that former New Orleans District Attorney Jim Garrison was a bigger crook than U. S. District Attorney Gallinghouse found him to be, that the American Nazi Party had the motive in Mr. Kennedy's murder and one Doyle Higgens was their instrument.

Why have I waited all these years to tell my story? First, I though the Warren Commision, and then the Garrison Probe would have wrapped it up. Secound, I am like the rest of us good U. S. Citizens, as lo as it aint my oxen getting gored, I don't want to get involved; in early March 1975 twice in the early hours a car pulls away from the house after the dogs go to raising hell; then I get this letter from Mr. R. L. Wilson from the Internal Revenue Office inviting me to discuss the advantages of paying tax leins of $1700.14 and 346,965.3 for the years 1972 and 1973 plus penalties and intrest, as against taking up residence at Levenworth, Kansas for a while; and me the owner of two small bankrupt companies in a small town: it anit no wa I gotta be born dead; I pick up the paper March 11, 1975 and see whe the American Nazi Party is still going strong; I read in the paper lately that there is going to be a 10 billion Dollar trade deficit, so we got to use less oil and gas; I read where Germany has got more gold than any country on earth; Senator Mansfield says it costs 10 Billion Dollars a year to keep the U. S. Army in Germany to help protect those poor defenseless reformed Nazis from those bad Russian Commies; then on March 14, 1975 came the straw that broke the camel' back: a U. S. Army Wac boarded a plane at Charleston, South Carolina this said Wac was formally an old maid high school teacher in New Orleans, whom I tried to marry for the last four years, bound for a two year assignment in Worms, Germany on the Belgium Border.(When di the Russiams take over Belgium? I must be behind in the news.) The thought of committing hari-kari enters my mind. but I think the bett of it and take the haki-saki route. Between drinks all I can think is the Kraut making good time with my ex-girl friend; I make one of the few good decisions of my life, that I better go to looking for

1-ENCLOSURE

me, another old maid school teacher; hello Germany, good-bye to the mac; out of sig[illegible] out of mind. on with the story.

September, 1938, while enrolled at Bolton High School Alexandria, La as a freshman I had a classmate by the name of Doyle Higgins. This fellow was a lot taller and heavier than me. and two to four years older. Never did associate with him as he was sort of a loner. He apparnetaly left Bolton in the spring semester of 1941.

June 1942, I graduated from High School and hitched hiked to New Orl and got a job as a welder helping build the famous "Setting Ducks" o World War II, the Liberty Ships. The Bright Lights of New Orleans g into the eyes of this seventeen year old country boy and have been i them ever since.

March 1943, I entered the U. S. Army and was quickly introduced to a wonderful gadget known as the '08 Springfield 30 Cal. Bolt Action ri If I would have ever had to use this Jamup Jannie for real or be giv the choice of it or a muzzle loader musket, I would have took the mu at least you could get off one shot. The only way I beleive I ever quailified with this thing was that they must of already had a rese vation for me on a boat for New Guinea and then not want to send a r placement. Fifteen million men used this thing in basic training in World War II and how any of them ever believed the Warren Report is yond me. And it was supposed to be better than the Italian Army Rif that Oswald allegedly used. How do you get off five shots in that s of time? They should have given Mr. Garand the Congressional Medal Honor for inventing the M1 for replacing that thing. I wonder whe t it ever dawned on the Warren Commission that the rifle and spent she could have been planted in the Texas Book Depository Building. How do you get off shots that fast with a bolt action and take aim again

July 1948, while farming by myself, I was busted and tried to borrow $300.00 from F. A. Morgan, local bails bondsman and hear-say loan shark. No luck. It would be eighteen years before I spoke to this again.

January 1960, one night I parked up my taxi and went out with a woman from Baton Rouge who pulled up on one of our cab lots wanting to kno where she could have a good time. Next morning she has me call a nu in Columbia, La. and ask for "John". "If his wife answers and asks you want to talk to "John", tell her you want to see if he can help get a job with the state."--"But Baby, give me his last name so I ca put a handle in front of it. You know when when you come to somebod with your hat in your hand?"--"Look you bastard I was good to you la night. Are you going to do as I ask or-?" "O-kay baby don't get sho up." I get hold to "John" and I tell him "John your big mama wants talk to you." as I was told. Talking about a big mama, whew! After lending her $10.00 and putting her on the road to Columbia, we said, good-bye. I checked on the phone number I had called a few weeks l and it was John J. McKeithen, Public Service Commissioner, Northern District, State of Louisiana. This man was to be governor of Louisi from 1964 to 1972. I didn't make positive identification of this wo until in the governor election of 1963 when she went on TV to speak big "John". She was to be Louisiana Commissioner of Adminstration 1 to 1972 and then be elected Secretary-Treasurer 1972 to 1976. She w Mrs. Mary Evelyn Dickerson then, now Mrs. Mary Evelyn Parker. Mr. K the reason I am telling you all this junk is that it is the only rea reason for someone trying to blow my head off in 1966, that I can Figure out.

Even then I never told no one about it until 1966 when I appealed to Baton Rouge for help as you will see later in the story. Louisiana politics are rotten, but I don't believe they would have someone killed just for what me and her did. I'll bet my last penny that I am not the only cab driver she ever hustled.

October, 1961, Cab driving again, I met a Barbara Worrell, parttime waitress at the bus station cafe and parttime employee of a bookkeeping firm. We became fellow travlers, when she didn't have no one else to go out with, and I didn't either, we would get together.

September 1962, my divorce became final and me and Barbara want to living together, more or less, and share the bills with her paying most of the freight, but both of us still going our seperate ways.

December 1962, Christmas Holidays one night I picked up a fare at a local bar, and was taking him to his destation when the passenger recognized me, as it was generally my habit not to even look at the passenger,, It was Doyle Higgins, and he must have had a good menor to remember my name after 21 years, as I didn't recognize him. I was to have a few drinks in the next few days on a couple of occcasions. We get to talking about the army, and for a country boy I should be ashamed of myself, as I barely quailifed myself with the old Springfeild. He laughs and tells me he made "sharp - shooter easily. Also he tells me he done Intelligence work in the Army. I started to ask him whether he had been with the CIA, but since he couldn't have told me, since the question would have been silly, I skipped it. He did talk a little about the Bay of Pigs Operation, that he had had a friend that took part in it. Whether he had spent twentyyears in the Army and retired, I don't remember, but I do remember that he was working for the New Orleans Water and Sewage Bord. So he said.

January 1963, I went back to farming with my brother, just driving my taxi cab part time at night. Didn't see too much of Barbara Worrel at the time as I didn't have the time.

September 1963, latter part, I pull on the cab lot opposite the bus station about 7:30pm. There wasn't much business that night, and I musta been the eight or tenth cab on the lot. Looking over to my left I recognized a tall fellow standing in the shadows on the corner diagonally opposite the bus station, Doyle Higgins. We shake hands and we go to talking. There are quite a few Negros standing in front of the bus station, and the conversation gets around to the "You know, Roy, they don't want their part of the side walk no more, they want all the sidewalk." "Yeah, Doyle, we in for a lot of hell in the future oneway or the other." "Those Communists are behind all the Negro trouble. I know some fellows in New Orleans with the American Nazi Party that are trying to do something about it. Ever hear of George Lincoln Rockwell?" He," Yeah, he is head of that bunch, isn't he?" Doyle,"that's right, like I say they are fighting for us, and they need money. If you want to give me your address and I will give it to them and they will put you on their mailing list as a contibutor, and they'll send you literature, or maybe in t future they will let you become a member." HE" O-kay, take down my address." Doyle, "I'll give it to them as soon as I get back to New Orleans. You ought to be hearing from them in a few days. They need money bad. I know they are going to hustle you up." The talk gets around to the Bay of Pigs Deal again and he tells me the same thing again he said before. Only this time he tells me that Pres.

Kennedy ought to rot in hell for pulling the air cover he promised those poor Cubans. Recently there had been an article in the paper about an Osborne, Osturne an or Oswalt who was either an English, Canaidian, or an Austrian, and I asked Doyle whether he had seen it. He replies that I must be talking about the damm communist Lee Harve Oswald living in New Orleans, that he damm well knew him. Had I been living in New Orleans lately, or reading the New Orleans Times-Picayune I would have known who he was talking about, as Oswald had been active in the FAIR PLAY FOR CUBA COMMITTEE. So the name goes in one ear and out the other. The converstation and time goes, noth muchmoving business wise tonight so I ask him if he wants to go and have a few drinks with me. He says no thanks as he is expecting someone in on the bus. I should have ask him how was he going to metthen standing in the shadows, but I let it go at that. About (arrive) 9:00PM I'm finally first out at the cab lot. I had moved my cab to the front of the lot, but doyle Higgins stayed put in the shadows where he was at. A man walks out of the bus station waiting roon wi two suitcases, and I run up to the front post to hustle him up, Doyl stays put. "How much to take me out to where I can hitch hike to Dallas, Texas, driver." Business is awful bad tonight and two suit cases weight a ton when you tote then a mile, so the fare went fro 75¢ to $3.00 quickly. He tells me fast he ain't got no $3.00 and also asks me to direct him to where he can walk to hitch hike. Ther are four possible ways so I'm waving my arms pointing to the directi to walk and making it sound so far off, still hoping for the $3.00. He legs it up thestreet to take the Upper Third walk. to the Shreveport Dallas by pass. I go on back to the shadows and talks to doyle. "Where in the world was that fellow wanting to go to, Roy, whith all that arm waving of yours?" "Wanting to hitch hike to Dallas, Texas but he wouldn't dance to the gig to nimx I tried to put to him." (See enclosed diagram of bus station etc.) We talk a couple more minutes and I finallyget a short pick up. When I came back to the lot a few minutes later, Doyle Higgins was gone. I have never seen him again through all the years that have passed.

November 11, 1963 I pull my taxi off the run because I am without a regular day driver, I'm in a jam farming , I had been involed in an auto accident where the other party had been at fault, and since I had a crick in my neck, I decided to take a long paid vacation.

November 22, 1963 I was sick with a bad cold and was watching tv when the news of President Kennedy and Governor Connallys' shooting flashed on the screen. The next few days I was to see Lee Harvey Oswald's face on tv a thousand and one times. There was no doubt about who the man was thataskedme directions to hitch hike to Dallas Texas, it was Lee Harvy Oswald or his twin brother if he had one. In all the years that I drove a cab he was the only person that asked me for directions Dallas to hitch hiketo Dallas, always it was to Shreveport. No way I could forget that man's face.

December 9, 1963, Seventeen days after the Dallas Killing and two and a half months after it was promised in a few days, I recieved American Nazi Party litertue, and the unsigned hand written donation hustle. It must have taken Doyle Higgens a long time to get back to New Orleans, or someone couldn't decide to send me the literature not, thinking maybe I might remenber something. Mr. Kelly if you will read this stuff closly you will get the feeling they were expecting something big to happen in this country. The day after tthe murder if I remember correct. Rockwell held a press conference in Arlington, Virginia. anti-

the Presidnet Kennedy's killing was directly done by the International Communists Party through one of its menber Oswald, that the American Nazi Party would fight for the American People and prevent a Communists take over. The fact that Oswald had lived in Russia, went to Castro Cuba by way of Mexico, had been on the FAIR PLAY FOR CUBA COMMITTEE-never over look the obvious right? There is something else that the Warren Committee over looked-motive. I say the commies had forsaken Oswald and the Nazis thought they would be the big gainers in the hell they thought was sure to follow, but didn't. Heil Hiter, thats what got me about this junk for how anybody could glorfiy this skunk after what he had done is beyond me. Even the Commies disavowed Stalin. Three of the few friends I have ever had are burried on Norma and Doyle Higgins must have known two of them, when we went to school together. Just wait till I see this Doyle Higgens says I, I got to ask him a few things. [illegible] You know for nearly thirty years I plan on going to France to look up their graves and put some flowers on them. You can ask any body that knew them no better boys ever li But when I got the money I aint got the time to get past the New Orle bar rooms, and then when I got the time I aint got the money to get to NO. That's Life I guess. Excuses Excuses Excuses Maybe in Heaven, and knowing me Camile Shelfo, Charles Ellis and Webb Meyers wi understand and laugh it off. Then one of your daughters tells you that you are again to be grandpa in June, you wonder where all those thrity years went. We donate money to that bunch of Nazi slime aint no way in hell.

January 1964, latter part, the doctor releases me and I go to work out of Morgan City Louisiana as a welder, my old trade. I buzz Barbara to see if she wants a change ofscenery and she says yes. So we live in HoumaLouisiana untilI May when I get involed in another traffic accident. I drag up andleave Barbara behind, she continues working there.

May 1964, the La. Legislature passed the Bail Bonding Act of 1964, changing the bail laws given a bondsman up to six months to produce a bail jumpers N.O. D.A. Jim Garrison blew his stack, and screa murder. He issued a statement that the legislature acted as they d "as a politcal debt pay off to F.A. Morgan and others." For this he became the first man to be censured by the La. Legislature in his

July 1965, one of the insurance companies finally paid me off, so I had plenty of money, and since the farming was caught up, New Orleans here I come.

July 29, 1965, (see enclosure with [illegible] 7-28-65 on the back) I call up Doyle Higgins' Mother whome lived at 2206 Olive Street Alexandria, Louisiana, and she gave me his N.O. address and phone number. I left her with the message that in case I didn't see him to please tell him that his old friend Roy Dan Gossen was wanting to see him badly. She says she sure will, as she knows he will be glad to hear from any of his friends. The next three days if I didn't ring 861-0505 once I rang it a million times. Finally I drove out to 2437 South Carrollton. Talking about a spookey house. I Knocked , I waited, I knocked, I waited, I knocked, I waited. Finally a grey headed stout woman came to the door. "What do you want with all that racket?"--"Is Mr. Doyle Higgins in?"--"Who?"--"Doyle Higgins, ma'am"--"Got nobody by that name livin here. I departed. I Have dailed this number thru the years and it has never once been answered. 2437 residence is now no more, the Cumber[illegible] Capital Co[illegible] has a branch office there and is now [illegible]

Why would Doyle's mother give me a bogus phone number and address? Why has he been dodging me all these years? I don't stink that bad.

January 1966, I put my cab back on the run, since I was now released by the doctor and all insurance companies involved had paid up. Barbara had now straggled back to Alexandria and was working in the F.A. Morgan Bonding Company home office as the owner's secretary, living with her mother, the proud mother of a child born recently which she had conveniently put in my name, which I had finally had agreed on after she agreed not to press me for support, which she has not done to this day.

Mid-March 1966, one late evening when I came in the drive there was a phone number for me to call. I called the number and since it was after 5pm I drew a blank. Next day I called the number in time and get Mr. Morgan himself. He wants to know who the hell I am treating his secretary like I do, and wont support her baby. How could I treat a nice girl like that, her baby etc. I tried to tell him that Barbara meant nothing to me not I to her, but he wont listen. I got hold of Barbara at her Mother's house and asked her what the hell she was doing with me to Morgan, she swore that she couldn't understand it, that she told him I meant nothing to her. Anyway I asked her what I had done to him for him to be pickin trouble with me. She swore she didn't know. I didn't belive her then and I don't believe her now.

April 20, 1966, About 9pm Morgan made his play. At the cab lot across from the bus station. He emptied his gun at me, and later the Cheif of Detatives dug a bullet out of the seat where I had sat. It wasn't my time to go that night.(See enclosure)The days that Followe were rough for me. Rapides Parish D.A. Jane Harris refused to bring the case out of city court where it was a misdemeanor and bring it into district court where it would be a felony if indicted. The thoght of Morgan getting away with a little fine and suspended sentence made me blow my top. Finally, I collected my senses and did a little thinking and hit upon Jim Garrison. Remenbering what had happened between him and Morgan in 1964, and now that he was conducting and investigation into the Kennedy murder, I decide to do a little trading.

May 16,1966, Icalled Mr. Garrison Office Mrs. Leblon,his secretary, a explamed my situation to her, that Morgan had everybody in his hip pocket in Alexandria after he tried to kill me, that Mr. Garrison knew Morgan for what he was, that maybe he could help me there, that maybe I could help him on something that was important to him. After checking with Mr. Garrison she gave me an appointment for the next day at 10am.

May 17, 1966, Found me in Garrison's Office before 9:30am. Later I was joined by an attorney from Baton Rouge for an 11:00 Appointment We sat ther in the waiting room until nearly 4pm biting our fingern Mrs. Leblonfianally gives the attorney an appiontment for 10 am next day, and tells me that she's sorry but Mr, Garrison cannot interfere with the D.A.'s jurdiction in another parish. I tell her that was understood yesterday, there would be no interference, that all I needed was a little information that could help me."I am sorry Mr. Van Gossen, he connot interfe ."**"Mrs. Leblon would you let me see him to discuss something else not in Rapides Parish thats a lot more important than that?"--"I'm sorry Mr. VanGossen Mr. Garriso cannot andwillnot see you."Good day Mr. Van Gossen." Bourbon Street

her rooms here.

Back in Alexand[illegible], I was at rows end. I [illegible] see the editor of the Town Talk, Adric[illegible] Laborde; Senior Distric[illegible] Judge Walter Hunter; Chester Wells, political ally of Gov. John McKeithen; Wallace Wagner, 8th District Political axe of Gov. McK. and a legislature Sargent at Arms and tell him to tell Mrs. Mary Evelyn Parker that a Cab driver that loaned her $10.00 and made a phone call for her back in 1960 needed help. I must have reached someones' ears, as Judge Hunter cal the Grand Jury back into session.

June 29, 1966, Morgan was indicted for attempted murder. In the days that followed a phony $12,000.00 offer to take a walk was given to me with Wallace Wagner the intermediate. I've always known I was stupid how they figuredI was stupid enough to fall for that, I'll never know Talking about taking a walk, I'd have took a five to ten year walk to the penetentary. At any rate, I' tried to keep close taps on Morgan next few days, since I smelled a rat. I was to see his car parked in front of the Murrell Clinic and Hospital four times after 5pm. I thought this odd as Morgan had allegedly suffered a stroke recently a was under the care of Dr. Freidman, whom was in no way connected to I Murrell's Clinic. Actually the place had been more of a nursing home old men then a hospital. So what says,I they are good friends. Dr. Murrell had been Parish Coroner upon appointment by Gov. McK. when th elected Dr. Owens Died. The payoff was set for Friday Evening July 8 after 5pm, and what a payoff it was to be.

July 8, 1966, at 5pm straight up, I was in a local bar room that I we to a lot, and got a long distance call from Dallas from Barbara. I w now on the outs with her, so I ask what in the hell she wants, had Morgan ran her off, or did she need money. she wants to meet me in Mobile, Ala. on Sunday the 10th, as she has something to tell me. I tell her to go to hell and hang up. At 5:30pm, while still in the ba it came over the news that Morgan had shot himself in a suicide try. A few minutes the news came that he had died. (See Clipping) What struck me as strange was why a Frist National Funeral Ambulance, that once owned, was called from fifteen blocks away, when the Hixon Funer Home two blocks away, that buried him, had an ambulance in. Then I wonder about his old drinking buddy Dr. Murrell; what I saw in a wax museum collection; five years ago a man tells me he saw Morgan's twin brother in Hot Springs, Arkansas and he don't have no twin brother; his next door neighbor was a long time detective on the Alexandria Police force; a U. S. Postal employee risks his job a month later to call me aside in a bar room to tell me that Mrs. Morgan has been get a lot of mail from some where in Mississippi since Morgans death. I' like to know who really is in that coffin.

March 1967, me and Barbara patched up our differences and became fell travelers again. To tell it like it was, she promoted $1,000 and a Buick from a local business man, and I am busted so I an ready to tra

April 1967, we land in New Orleans with me going to work as a welder and her for Heberts' Bonding Co. While living with her she told me s she had told me before about Morgan. That me and her were just a pai hitch hikers on the road of life. She also tells me that had he have ed me, it would have been easy to get out of for the simple fact that too many people knew that I carried a gun in my cab like so many driv did at night. She said he would have had the witnesses to get a jus ifiable verdict on self defense grounds. She knew about my appointmen with Garrison, told me that Morgan blocked it by calling up Gov. McK. threatenting to expose Garrison for having been a homosexual before m riage. She now denies the latter part of this. Even had the bluff

had been made I don't see how it could have mattered, since this mud was thrown in t[illegible] 1962 D. A. Election in N[illegible] Orleans. All I can say is he had his ow[illegible] reasons for not seeing m[illegible] The plane that Dave Fe: flew from Dallas to New Orleans, November 22, 1963 made a stop at Alexandria, La. Why didn't question this stop and see what I had to I know someone for fact who will swaar that Clay Shaw was a homo in the latter Forties. Garrison said Dave Ferrie was one . Homo here, homo there, homo everywhere.

December 1973, one of my drivers at the Yellow Cab Company Alexandri: La., Hillary (Heavy) Myers, a seedish thugish looking person, reporte to me that a person he had never seen before in his life approached h in a local bar and offer him $2,000 to knock me off. When he asked t man what he had against me the answer was "He's just a no good chicke S.O.B. Does that answer your question?" The driver first for got about it, then days later he decieded to tell me about it, so I could be on the look-out. His description of the man doesn't match a one I know of. The First thing I did was laugh at the low price tag. "He must don't want me very bad if that's all he'll pay." "Are you k ding? Some of these jokers will kill you for less then $500 when the are busted." Maybe he is right.

March 17, 1975, 2pm, I get to meet New Orleans D. A. Harry Connick. He politely informs me that he accepts the Warren Commission Report a final, and will not reopen the case under no circumstances.

At 3pm same evening, I get to see FBI Agent Kane in the Federal Build ing in New Orleans. Mrs. Kane informs me quickly that the Kennedy Ca is marked "closed" but to give her whatever information I had, that she would take notes on it, and file it for future reference if ever the case was reopened. I guess Mrs. Kane was just being courteous and fol lowing FBI procedure in hearing me out. She did advise me against go ing to Dallas, Texas and I can easily understand why the people up th don't want to hear nothing about it after they allowed Oswald to be shot like a sitting duck by Ruby. Would I be insulting the FBI if I ask why the door was left open while I told Mrs. Kane my story? Ever body that had an office in the hallway could hear every word I said. Twice I caught another agent in the doorway listening to it all, the first time that I caught sight of him was when he hit the door so I w turn around so he could get a good look at me. He seemed to be more terested in my story than Mrs. Kane. Is this standard FBI procedure? No wonder people are scared to talk to yall. I got to find me a good bar room.

March 18, 1975, at 3pm after sobering up, I pay ca[illegible]..O. D. A. Jim Gar rison's office at 720 Carondelet a visit. I leave his secretary with a note with my address on it, requesting an appointment. I had her write on the note that I had the same information to give him now tha tried to give him on May 17, 1966, if he was interested. I tell my attorney about this and off the record he tells me that I made a bad take going to Garrison's office. I get the impression that even out office too many cut-throats, pushers, pimps, and punks still owe som one a debt.

March 30, 1975, an article appears in the local paper about Garrison Clay Shaw that makes me out to be a liar. Mr. Kelley, It just [illegible] li the article says from 1967- to 1974(seven years investagation) I hear early as April 1964 that Garrison was digging into Oswald's New Orlea doings and first remember reading it in the paper in 1965. Shaw w dicted in 1967 after a long investagation. Who ever wrote this ar had to be on Garrison's Payroll. Not defense lawyer. the [illegible]

cleared Garrison must have been made up of people that didn't know a pinball machine from a juke box, and thought a bookie joint was wher you bought cheap books. they still got $7[illegible]000 bribery money that wa given to an honost Police Captian by mistake. Everybody in New Orle knew he was guilty but the jury. That is the law. It crosses my mi that Garrison and Clay Shaw could have gotten their heads together a that 5 million dollar law suit that the rich boys in the Truth or Co sequences, Inc. and put them in the middle. I don't put nothing pas Garrison.

April 2-3 1975, I went back to New Orleans to locate Doyle Higgins. I could have found him it would have saved me the trouble of writing this and you reading all of this. I checked the South Carolton add ress again, Cheked with the Cumberland Corp., Checked with the Stan Weber Realty one says to call the other one, the other one tells me call the first one, the first one says it is the other, I give up. I takes a title and abstract man to run this down and I don't need to you I aint one. 9am April 3, after nearly ten years of trying 861-05[illegible] finally answered"Mr. DoyleHiggins, please[illegible]?" "You got the wrong num --klunk! It crosses my mind that this is a coincidence that it had happen after going by the local FBI Office and Garrison's Office.

This completes my story, and I realizewhen it is all added up, there is no concrete evidence. But if it will help to reopen the Case I will gladly swear an affidavit to it and take a lie detector test to veri it. I realize that it seems I am seeing Nazis and homos behind every bush, but if you see something a certain way, tell it the way you see or don't tell it at all is the way I look at it.

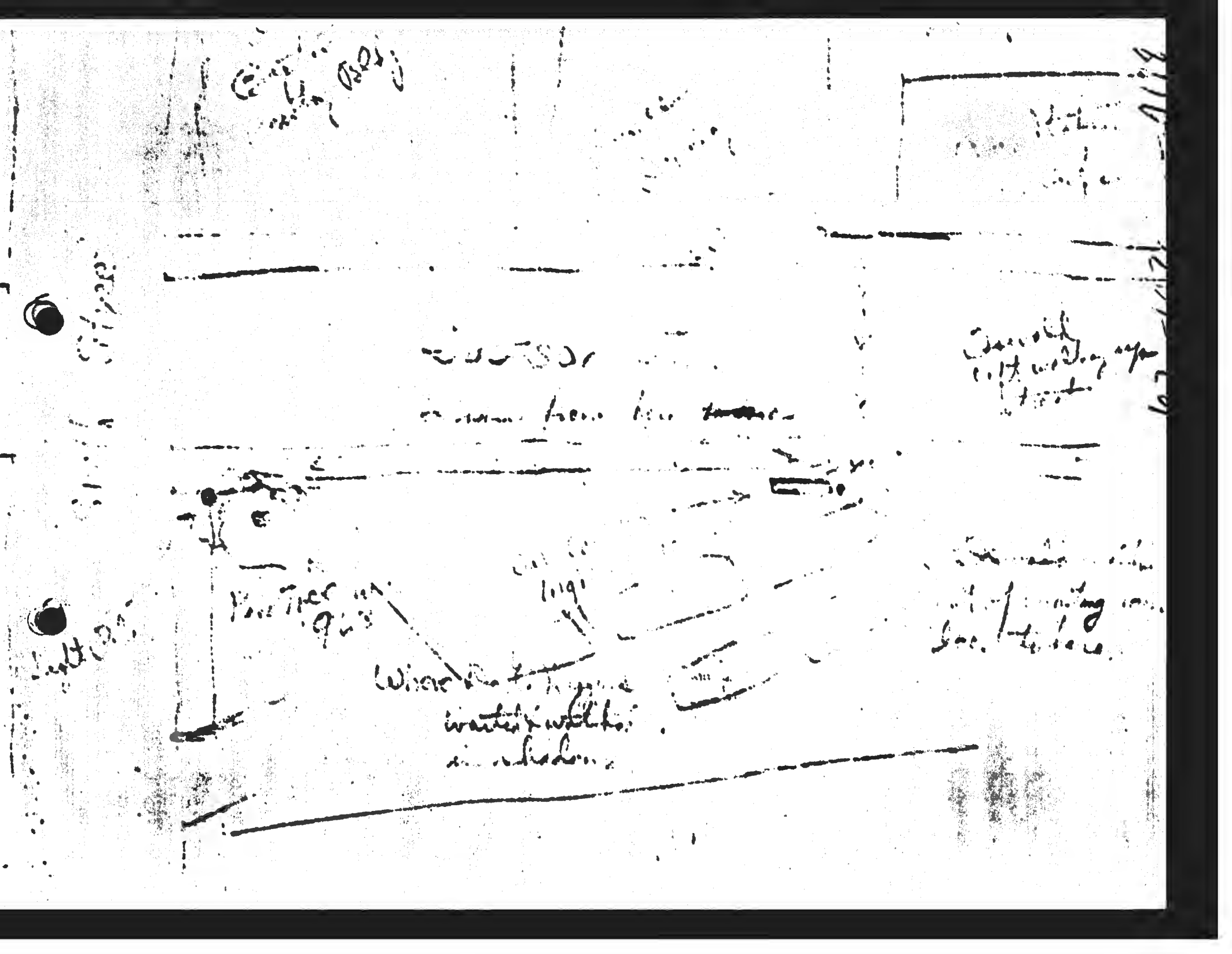
I would appreciate it if its legally possible for your office to in- form me if Doyle Higgins has been cleared all ready or is cleared in future. If so I would like to look him up, if you can tell me where is at, buy him a drink, apologize, and get the hell off his back. Also I would like to know as soon as possible whether you can use any this stuff. If you don't use it, I would like to send it to the Con[illegible] ional Committee Investagating the CIA Involvement in Kennedy's Murder

In closing Mr. Kelley, I hope that the way I have told my story has n insulted you or you intelligence. I repeat, I've tried to tell it th best I could in my own way.

Sincerely yours,

Roy D. VanGossen

Roy D. VanGossen
P.O. Box 909
Alexandria, Louisiana 71301



April 21,1975
Alexandria,La.

Mr.Clarence Kelly,Director
Federal Bureau of Investigation
Washington,D.C.

Dear Sir:

In my fear of Jim Garrisson haste in writing you on April 5,1975,I overlook several important points that are related to the subject matter.I hate to b her you again,but rlease let me give them to you nevertheless.

Jim Garrisson was the Attorney General candidate on the McKeithen ticket ir December,1963 Democratic Primary elections.

The Governors race was acuroisity in this election.From September to Novemb every candidate but one was hitting President Kennedy with every thing but fence post in typical Louisiana style.His attacks were leveled at the Feder Government,the Democratic Administration in Washington,the Administration i Wahington. Dignified,right? This man was a graduate of the Earl K.Long S of Politics,that if you hit a political opponent,you hit him below the bel you do not hit him at all.While he was the goody-goody his campaign workers putting out such stuff as I have enclosed in this letter. Never once did th man mention the Presidentyor Kennedy by name.Mr.Kennedy's body was still wa when Big John McKeithen went on radio and t-v and acused all the other cand of helping Oswald pull the trigger by their attacks on Kennedy.He defied an to prove just one time that he had used the wordPresident or used Kennedy's name in any of his speeches.He must have had one hell of a hunch that Kenne was going to be killed to campaign like he did.

Facts and rumor in the 1962 District Attorney election in New Orleans had i that Garrisson served as a Major in the U.S.Army in WWII in France and Germ in a Adjudent General Detachment.He stayed on in Germany after the war ende and took part in the Nurembreg War Criminal Trials of the Nazis.His feeling for the poor Communist oppressed Germans led him into becomming a Nazi symp er.

DoyleHiggens lived two blocks from Morgan in Alexandria,or at least his fam did.Generally everybody knows everybody else in a small town.

Morgan took target practice on April 17,1966 with the same gun that he used me at his Spring Bayou,La. camp in Barbara's presence.

REC-3

A few days before Morgans alleged suicide,he angrily told Barbara"Jean Phar Jim Garrisson,that bitch MaryEvelyn,-even Big John McKeithen done all run o on me.The dirty bastards are going to throw me to the wolves."

3 MAY 6 1975

March 17,1975,I asked F.B.I.Agent Kane,if possible,to go to Heberts Bonding to see the living proof that Morgan did not try to kill me over some woman Why run the risk of using a hit-man or mechanic and arouse susnicion when y can kill someone in self-defense over a woman.What better can you have than D.A.in your pocket to prevent prosecution,and a Governor to pardon you in case you accidentally get convicted? THey used her to set me up

June 1966,there was a $150,000.00

Garrisson's trial of Clay Shaw for Murder Conspiracy of President Kennedy w so phoney,it must have been used as a smokescreen to cover up something.

In latter 1971,if I can recall,Gov.McKeithen appointed Alexandria attorney Polk,a Republican,to be a District Judge in Rapides Parish,to succeed a dec one.In all of his eight years as Governor,this is the only time I can ever ember him appointing a Republican to dogcatcher or above.Polk had successfu defended the Morgan Estate in the lawsuit I brought after the"suicide".He w the law partner of City Judge Foote who had done his best to keep Morgan fr being prosecuted in 1966.

My own lawyer has advised me against writing you.He says I should be afraid the C.I.A.as he is afraid of them.I aint never known him to be afraid of an but getting too drunk and his wife.He told me that he had been questioned b someone with the Warren Commission in 1964.I believe he thinks that I have gotten that he worked hard for McKeithen.I got to be born dead.

On the day of Morgans"suicide,of all the cities in the United States,XXXXX why did Barbara have to be in Dallas,Texas?Was she suspored to see someone case the "suicide" did'nt go off as planned or what?If this is a coincidenc then everything that I've said is a coincidence.Mr.Kelly,you are a professi lawman,you know better than I'il ever know,it just don't work like that.

In closingI hope that the information I have passed on to you will be of so help in getting the Kennedy Case reopened. If I can be of any help in the ure,pleaseb advise me, and I will gladly do so.

Sincerely Yours,

Roy D. Van Gossen

Roy D. Van Gossen
P.O. Box 909
Alexandria,Louisiana 71301

Gentlemen:

I'm writing to you requesting for any & all information concerning the assassination of President Kennedy. Please try & send something to me in this regard...

John Bois
115 Brookline
Youngstown, Ohio
44505

ST-109 REC 8

Thank You,
John Bois

12 APR 23 1975

P.S.

Also information about Lee H. Oswald & the possibility of any additional assassination information on such subjects. This is for a school assignment.

LEGAL COUNSEL

ST-104

REC 8

May 5, 1975

Mr. John Boris
115 Brookline
Youngstown, Ohio 44505

Dear Mr. Boris:

In reply to your letter received on April 23rd, we do not have any information pertaining to the assassination of President Kennedy available for distribution. At the request of President Johnson, the FBI conducted investigation regarding the assassination and furnished the results of our inquiries to the President's Commission on the Assassination of President Kennedy. The Commission published its findings, together with information concerning Lee Harvey Oswald, and included FBI data in its report. All available evidence and facts pointed to one conclusion--that Oswald acted alone in this crime.

The Warren Commission furnished all data in its possession to the National Archives and I suggest you communicate with the Archivist, National Archives and Records Service, Eighth Street and Pennsylvania Avenue, N. W., Washington, D. C. 20408, for any data he can furnish you.

The case involving Jack Ruby was investigated by the Dallas, Texas, Police Department, and you may wish to write to that Department regarding him.

Sincerely yours,

C. M. Kelley

Clarence M. Kelley
Director

Assoc. Dir. ____
Dep. AD Adm. ____
Dep. AD Inv. ____
Asst. Dirs. ____
Admin. ____
Comp. Syst. ____
Ext. Affairs ____
Files & Com. ____
Gen. Inv. ____
Ident. ____
Inspection ____
Intell. ____
Laboratory ____
Plan. & Eval. ____
Spec. Inv. ____
Training ____
Legal Coun. ____
Telephone Rm. ____
Director Sec'y ____

MAILED 7
MAY 5 1975
FBI

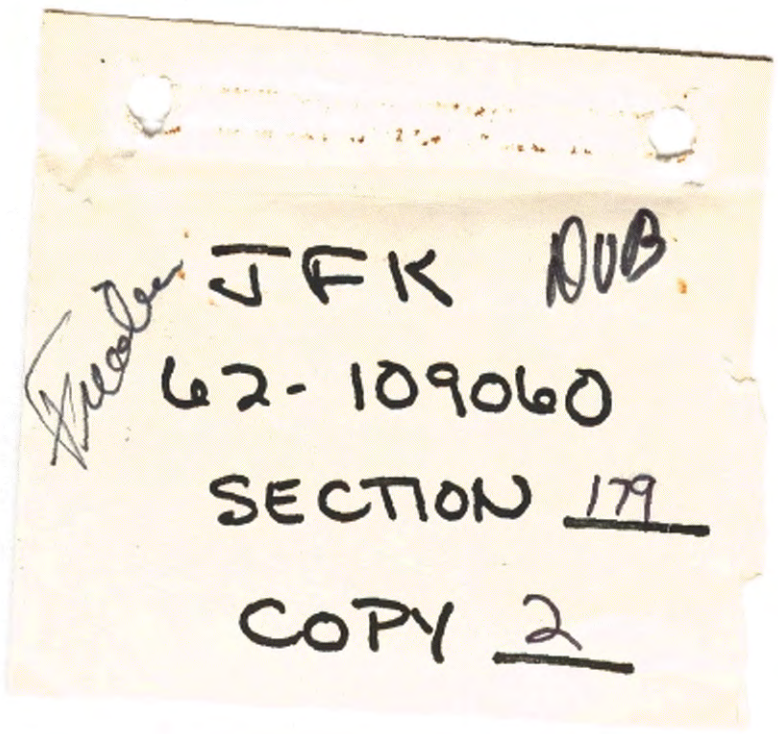
NOTE: Correspondent is not identifiable in Bufiles.

jkb:slr (3)

6 MAY 14 1975

MAIL ROOM ☐ TELETYPE UNIT ☐

GPO 954-546


JFK DUB
62-109060
SECTION 179
COPY 2

Rev. 5-22-64

FBI

Date: 4/29/75

Transmit the following in _____
(Type in plaintext or code)

Via AIRTEL AIRMAIL
(Priority)

TO: DIRECTOR, FBI (62-109060)

FROM: SAC, NEW ORLEANS (89-69) (C)

ASSASSINATION OF
PRESIDENT JOHN FITZGERALD KENNEDY,
DALLAS, TEXAS,
11/23/63
MISCELLANEOUS - INFORMATION CONCERNING
(OO: DALLAS)

Former Special Agent MILTON R. KAACK advised that h
was telephonically contacted by a representative of CBS 60 Mi
Program requesting an interview in connection with the KENNEI
assassination for a program CBS is working up. Mr. KAACK ac
that he declined to be interviewed in connection with the KE
assassination stating that he would stand on the FBI reports
this matter and the Warren Commission report. Mr. KAACK sta
that the CBS representative asked him the location of former
Special Agent JACK QUIGLEY and SAC WARREN C. de BRUEYS. KAA
declined to furnish the location of these individuals.

REC-19 EX-110 7181

62-10

MAY 2 19

(2) - Bureau
1 - Dallas (89-43)
1 - San Juan
1 - New Orleans
ECW:pd
(5)

MAY 19 1975

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

DATE: 5-16-75

TO: SAC, Little Rock (105-406)

Re: ASSASSINATION OF JOHN FITZGERALD KENNEDY, DALLAS, TEXAS, 11-22-63 MISCELLANEOUS - INFORMATION CONCERNING

FAISST

Invoice of Contents

Nikon S-3camera SN 6312156
w/50mm Nikor lens SN 390058

Sent 5/16/75 VS

☒ Crypt. Trans.
☐ Document
☐ P & C
☐ Radio Engineering
☐ TPS

718780

MAILED 11
MAY 16 1975
FBI

Special Instructions: REGISTERED AIRMAIL
Mail Room: Show shipment date and registry number.
Shipping Room: Show shipment date; bill of lading number; initial invoice; return to Section checked in block; after initialing in block, invoice to be placed in administrative file.

FBI File No. 62-109060

57MAY 20 1975 b1g9

THIS SERIAL HAS BEEN REFERRED TO ANOTHER AGENCY AND IS IN A PENDING STATUS:

FILE NO. 62-109060

SERIAL NO. 7182

PAGE NO.

NO. OF PAGES 25

SECTION NO.

179

U.S. SECRET SERVICE

REFERRAL

UNITED STATES GOVERNMENT

Memorandum

TO: Mr. John J. McDermott

FROM: Homer K Hauer

DATE: 3 MAY 14 75

SUBJECT: H.G.

The attached _____ has been received in the Records Section, appropriately initialed, and indicated for file. By use of instant transmittal memorandum, all necessary recording and indexing will be accomplished. It is to be noted this form is for internal use only within the Records Section, principally by the Routing Unit where bulky material not accompanied by memorandum is usually received.

The enclosure, if bulky and not usually filed with other papers in file, may be detached but this action should be clearly noted under the word "Enclosure."

Enc.

1 - ENCLOSURE

REC-9 7183

NOT RECORDED

3 MAY 14 1975

57 MAY 21 1975

94TH CONGRESS
1ST SESSION

H. RES. 432

IN THE HOUSE OF REPRESENTATIVES

APRIL 30, 1975

Mr. DOWNING (for himself, Mr. WHITEHURST, and Mr. HARRIS) submitted the following resolution; which was referred to the Committee on Rules

RESOLUTION

Resolved, That there is hereby created a select committee to be composed of seven Members of the House of Representatives to be appointed by the Speaker, one of whom he shall designate as chairman. Any vacancy occurring in the membership of the committee shall be filled in the same manner in which the original appointment was made.

The committee is authorized and directed to conduct a full and complete investigation and study of the circumstances surrounding the death of John F. Kennedy.

For the purpose of carrying out this resolution the committee, or any subcommittee thereof authorized by the committee to hold hearings, is authorized to sit and act

File
60-HH 62-10060

during the present Congress at such times and places within the United States, including any Commonwealth or possession thereof, whether the House is in session, has recessed, or has adjourned, to hold such hearings, and to require, by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents, as it deems necessary: except that neither the committee nor any subcommittee thereof may sit while the House is meeting unless special leave to sit shall have been obtained from the House. Subpenas may be issued under the signature of the chairman of the committee or any member of the committee designated by him, and may be served by any person designated by such chairman or member.

The committee shall report to the House as soon as practicable during the present Congress the results of its investigation and study, together with such recommendations as it deems advisable. Any such report which is made when the House is not in session shall be filed with the Clerk of the House.

FBI

Date: 4/17/75

Transmit the following in _____
(Type in plaintext or code)

AIRTEL
(Priority)

TO: DIRECTOR, FBI (62-109060)
ATTENTION: SA LYNDAL L. SHANEYFELT
FBI LABORATORY

FROM: SAC, LITTLE ROCK (105-406)(P)

SUBJECT: ASSASSINATION OF JOHN FITZGERALD KENNEDY
DALLAS, TEXAS
11/22/63
MISCELLANEOUS - INFORMATION CONCERNING
OO: DALLAS

Re Dallas airtel to Bureau, 4/15/75.

On April 17, 1975, WILLIAM GASTON ALLEN, Dungan and Allen, Inc., 1008 West Second Street, Little Rock, Arkansas, advised that at the time of President KENNEDY's assassination in 1963 he was working as a photographer for "The Dallas Times Herald."

During the morning of November 22, 1963, he was in Fort Worth, Texas, taking photographs and had returned to Dallas during the afternoon. When information developed that KENNEDY was assassinated, he proceeded to the vicinity of the Texas School Book Depository and began taking photographs.

EX 104 REC-3 62-109060-7184

3 - Bureau
2 - Dallas
2 - Little Rock
JDC/sso
(7)

7 APR 21 1975

10 MAY 23 1975

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

* U. S. GOVERNMENT PRINTING OFFICE : 1969 O - 348-000 (11)

He did not recall the particular camera he was using but felt that it was a 35mm camera loaded with Tri-X Pan film since this was the standard film being used by the newspaper at that time. UPI at that time had furnished the newspaper photographers with Yashika 2¼ x 2¼ negative cameras since they were cheap and could be disposed of when they broke. He may also have used his personal camera, a Nikon S-3, which he still has and will make available to the FBI as soon as he can obtain it from a friend to whom he loaned it. If he had used one of the Yashika cameras, it would have been turned in to the newspaper. All his negatives were turned over to either "The Dallas Sun Times" or UPI, and they would be at the newspaper or with UPI in New York. He did not recall how many rolls of film he took on November 22, 1963, but felt that it was a number of 36 exposure rolls which he turned in to be processed and printed. He viewed photographs 2, 4, and 5 but did not recall taking them. He believes he could have taken them. He recalled taking photographs from the corner opposite the front entrance to the Texas School Book Depository and he displayed several photographs from his personal collection of photographs showing the front entrance to the depository. The photographs he displayed did not appear to contain vehicles or individuals identical to those in photos 2, 4, or 5 and did not appear to be taken from the same spot as photos 2, 4, and 5.

He viewed the other four photographs and advised they were not familiar to him.

He advised that if he could see the strips of original negatives containing the negatives of the questioned photographs, he could identify them.

After viewing photographs 4 and 5, he felt that 4 was taken with a wide angle lens and 5 was taken with a normal lens. He felt both photographs appeared to have been taken from relatively the same location, and he did not recall taking photographs from this location.

He did recall photographing some "black guys" who had been arrested on Houston Street near the depository and were being walked along Houston Street toward the county jail. He took photographs of these individuals near the jail but did not enter the jail.

He advised he was by himself but recalled other photographers being in the same relative area. He did not know the identities of these other photographers. He noted that many of the photographers from the national publications had gone to the hospital, and he was one of the first photographers at the crime scene. He initially entered the depository and took some photos before he was forced to leave by the police. He displayed a book entitled 4 Days with the subcaption "Historical Record of Death of President Kennedy Compiled by UPI and American Heritage Magazine" which was copyrighted in 1964 by American Heritage Publishing Company. On the left side of page 28 was a photograph of the front entrance to the Texas School Book Depository which he advised he took on November 22, 1963. The photo did not appear to have been taken from the same location as photographs 2, 4, and 5.

LEADS:

LITTLE ROCK DIVISION

AT LITTLE ROCK, ARKANSAS

Will obtain the Nikon S-3 camera from WILLIAM ALLEN and forward it to the FBI Laboratory, Special Photographic Section, for examination.

5/12/75

AIRTEL AIRMAIL

TO: DIRECTOR, FBI (44-24016)

FROM: SAC, HOUSTON (44-939)

RE: JACK L. RUBY, aka;
LEE HARVEY OSWALD, aka -
VICTIM (DECEASED)
CR

JFK

Enclosed for the Bureau are three copies and for Dallas one copy of a memorandum prepared by former SA DANIEL W. FULTS, JR. to my attention, dated 5/8/75, which is self-explanatory.

On 5/9/75 Mr. FULTS made available the enclosed memorandum which sets forth a telephonic contact of him by one HARRIET LUBIN, who is associated with the Mike Wallace TV Show. Her contact was in connection with an interview FULTS had with ROBERT RAY McKEOWN 1/24/64, the results of which were furnished to the Dallas office by HOairtel 1/29/64 captioned as above.

Mr. FULTS furnished the enclosed to me for our information and stated he has absolutely no interest in commenting to HARRIET LUBIN or anyone else connected with the news media concerning investigations conducted by him during his Bureau service.

The above is being furnished the Bureau and Dallas for information purposes only.

(4) - Bureau (enc 3)
(1 - 62-109060)
(1 - 67-File DANIEL W. FULTS, JR.)
1 - Dallas (44-1639)(info)(enc 1)
1 - Houston
ERF:mec
(6)

62-109060-
NOT RECORDED
199 JAN 2 1975

54JUN4 1975

FBI

Date: 5/13/75

Transmit the following in _____ (Type in plaintext or code)

Via AIRTEL _____ (Priority)

TO: DIRECTOR, FBI (62-109060)

FROM: SAC, NEW ORLEANS (89-69)(C)

ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY,
11/22/63,
Dallas, Texas

Re Bureau airtel to New Orleans, 5/1/75.

The following is being submitted to the Bureau for background in case [redacted] recontacts the Bureau.

On 5/8/75 Mrs. EDNA MILLER who formerly worked for [redacted] Alexandria, Louisiana, advised that [redacted] was "weird" and that he did not care about his business, drank quite a bit and frequently did not make much sense. He always carried a gun and was afraid of his shadow. Mrs. MILLER showed a Bureau Agent where [redacted] lived and it is an old run-down home grown over with weeds and trees on the outskirts of Alexandria, Louisiana.

[redacted] came to the Alexandria, Louisiana, Resident Agency on May 12, 1975, and Bureau instructions contained in referenced airtel were carried out.

On May 13, 1975, Deputy HENDRICKS of the Rapides Parish Sheriff's Office called to ask directions [redacted] home since apparently [redacted] had indicated to authorities at the St. Charles Parish Sheriff's Office that he had information concerning the recent triple murder involving a

(2) - Bureau
1 - New Orleans

PRL:ebc
(3)

89-101 REC-1 2185

MAY 19 1975

54 MAY 27 1975

Approved _____ Sent _____ M Per _____
Special Agent in Charge

U.S.Government Printing Office: 1972 — 455-574

NO 89-69
PRL:ebc

Catholic priest, a nun and a housekeeper.

When [redacted] came to the Alexandria RA he had been drinking [redacted] also appeared to be emotionally unstable. [redacted] is described as follows:

Name	[redacted]
Sex	Male
Race	White
Date of Birth	October 10, 1924
Place of Birth	Rapides Parish, Louisiana
Height	6'1"
Weight	190 pounds
Eyes	Brown
Social Security Account Number	[redacted]
Residence	[redacted] Alexandria, Louisiana, near the Willow Glenn Overpass on Highway 71 south of Alexandria
Louisiana Driver's License with Photograph Number	189 issued by Office 40A
Military Service	U. S. Army, March, 1943
Army Serial Number	[redacted]

FBI

Date: 5/15/75

Transmit the following in _____ (Type in plaintext or code)

Via AIRTEL AIR MAIL (Priority)

TO: DIRECTOR, FBI (62-109060)

FROM: SAC, KANSAS CITY (62-8156) P

SUBJECT: ASSASINATION OF PRESIDENT JOHN FITZGERALD KENNEDY
11/22/63
DALLAS, TEXAS
MISCELLANEOUS INFORMATION CONCERNING
OO DALLAS

Re Dallas airtel to the Bureau, 4/18/75; Kansas City airtel to the Bureau, 4/25/75.

At approximately 1:30 PM, CDST, on 5/14/75, a woman identifying herself as HARRIET RUBIN, a researcher for CBS News, New York City, telephonically contacted SA JAMES P. HOSTY, JR. at the Kansas City Office and stated she wished to interview SA HOSTY concerning captioned matter. She stated that originally CBS planned a segment for their program "60 Minutes" but now intend to expand this to a Special CBS News item. She was advised by SA HOSTY that he could make no comment and all inquiry should be directed to FBI HQ, External Affairs Division. HARRIET RUBIN indicated she would contact FBI HQ regarding this matter and furnished her telephone number as 212/765-4321, Ext 6331.

Ex-11 REC-1 62-109060-7186

The above is being furnished for the information of the Bureau and Dallas. Any additional inquiries to SA HOSTY will be promptly reported.

MAY 23 1975

(2) Bureau (RM)
2 Dallas (RM)
1 Kansas City
JPH:djm
(5)

8-7BC

5 MAY 23 1975
360

Approved _____ Sent _____ M Per _____
Special Agent in Charge

U.S.Government Printing Office: 1972 — 455-574

1-Mr. Mintz (5640)
1-Mr. Cregar (4123 JEH)
1-Mr. Nettles
(5048 JEH)
1-Mr. Cochran

Deputy Attorney General

May 15, 1975
1-Mr. Mortimer
1-Mr. Shaneyfelt

Director, FBI (62-116391)

COMMISSION ON CIA ACTIVITIES
WITHIN THE UNITED STATES

Reference is made to two letters dated April 2, 1975, and April 9, 1975, addressed to Mr. James A. Wilderotter from Mr. Robert B. Olsen, Senior Counsel of the Commission on CIA Activities Within the United States, requesting on-site investigations in Dallas, Texas, to determine the heights of two of the "derelicts" appearing in photographs taken on November 22, 1963, and requesting studies of the Zapruder, Nix and Muchmore motion picture films taken on the day of the assassination, to determine whether or not assassins or riflemen appear in designated portions of these films as alleged.

There is attached the report of the FBI Laboratory on the examination requested and several photographs and charts depicting the results of the examinations that were made for transmittal to the Commission if you deem it appropriate.

Assassination of Pres. John F. Kennedy

Enclosures (2)

(1)- 62-109060

LLS:mcw
(10)

62-109060
NOT RECORDED
45 MAY 21 1975

DUPLICATE YELLOW

54 MAY 22 1975

1-Mr. White (5049)
1-Mr. Cregar(4123 JEH)
1-Mr. Nettles(5048 JEH)
1-Mr. Cochran
1-Mr. Mortimer
1-Mr. Shaneyfelt

FBI
LABORATORY

FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D. C. 20535

To:
Mr. Robert B. Olsen
Senior Counsel
Commission on CIA Activities
Within the United States
Washington, D. C. 20500

May 20, 1975

FBI FILE NO. 62-116391
LAB. NO. D-750415161 HO
YOUR NO. D-750513010 HO

Re:
Commission on CIA Activities
Within the United States

Clarence M. Kelley
Director

Examination requested by: Addressee

Reference: Two letters dated April 2, 1975, and April 9, 1973, directed to Mr.

Examination Requested: James A. Wilderotter

This report supplements a report to your office dated May 15, 1975.

The FBI Laboratory has determined through contact with appropriate officials in Dallas, Texas, that a portion of Houston Street was resurfaced in 1973. This is the area where the on-site study was made to determine the approximate heights of two of the three "derelicts" as described in FBI Laboratory report dated May 15, 1975. We have been advised that this resurfacing would normally add from one to one and one-half inches to the existing street.

The addition of this resurfacing material would normally subtract approximately one to one and one-half inches from the heights as shown in the previous report. However, considering the fact that the camera position in the street is also elevated by one inch, this would tend to limit the effect. During the on-site study, the height determination procedure was tested for accuracy by checking the height of Officer Marvin Wise, who was known to be six feet, one and one-half inches tall. The results of the testing of the procedure on Officer Wise indicated that the height determination procedure was relatively accurate.

ENCLOSURE

1 - 62-109060

62-116395

NOT RECORDED
46 JUN 2 1975

LLS:mcw
(10)

MAIL ROOM ☐ TELETYPE UNIT ☐

1-Mr. Nettles (50-8 JEH)
1-Mr. Cochran
1-Mr. Mortimer
1-Mr. Shaneyfelt

Deputy Attorney General

May 20, 1975

Director, FBI (62-116391)

COMMISSION ON CIA ACTIVITIES
WITHIN THE UNITED STATES

Reference is made to two letters dated April 2, 1975, and April 9, 1975, addressed to Mr. James A. Wilderotter from Mr. Robert B. Olsen, Senior Counsel of the Commission on CIA Activities Within the United States, requesting on-site investigations in Dallas, Texas, to determine the heights of two of the "derelicts" appearing in photographs taken on November 22, 1963, and requesting studies of the Zapruder, Nix and Muchmore motion picture films taken on the day of the assassination, to determine whether or not assassins or riflemen appear in designated portions of these films as alleged.

There is attached a supplemental report of the examination requested.

Assassination of Pres. John F. Kennedy

ORIGINAL FILED IN

Enclosure

62-109060

(2) - 62-109060

1 ENCLOSURE

NOT RECORDED
13 JUN 2 1975

LLS:mcw
(10)

56 JUN 05 1975

FBI LABORATORY

FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D. C. 20535

1-Mr. Mintz (5040)
1-Mr. Cregar (4123 JEH)
1-Mr. Nettles (5048 JEH)
1-Mr. Cochran
1-Mr. Mortimer
1-Mr. Shaneyfelt

To:
Mr. Robert R. Olsen
Senior Counsel
Commission on CIA Activities
Within the United States
Washington, D. C. 20500

May 27, 1975

FBI FILE NO. 62-116391
LAB. NO. D-750415161 HO
YOUR NO. D-750513010 HO

Re:
Commission on CIA Activities
Within the United States

Clarence M. Kelley
Director

Examination requested by: Addressee

Reference: Two letters dated April 2, 1975, and April 9, 1975, directed to Mr. James A. Wilderotter

Examination requested: This report supplements reports to your office dated May 15, 1975, and May 20, 1975.

At your request the FBI Laboratory made additional studies of frame #413 of the Zapruder motion picture film, which is alleged to show an assassin with a rifle concealed in the foliage showed in the lower portion of this frame and adjoining frames.

It has been determined that the foliage shown in frame #413 is a small topiary tree, the trunk of which is seven and one-half feet from the abutment on which Mr. Zapruder was standing. It is estimated that an individual in the foliage of the tree nearest Mr. Zapruder would be approximately five feet from the camera. It was further estimated that Mr. Zapruder was slightly over one hundred feet from the limousine in frame #413.

Using an 8mm camera with a zoom lens, tests were made at a distance of one hundred five feet from a vehicle the approximate size of the Presidential limousine. From this position the zoom adjustment on the lens was adjusted so that the limousine appeared within the frame area in approximately the same size ratio as the limousine in the Zapruder film at frame #413. The car was then viewed through the 8mm camera

62-109060

NOT RECORDED

(over)

Page 1

1 MAIL ROOM ☐ 62-109060 LLS:mcw TELETYPE UNIT ☐ (10)

46 JUN 2 1975

and an individual was placed in the picture area at approximately five feet from the lens. The head of the individual in this test was found to fill approximately one-half of the camera picture area.

Comparing the above test with frame #413 of the Zapruder film, it was found that an individual in the position as alleged in frame #413 would have filled half of that frame and the head size of this individual would have been recorded in a size approximately six times that of the alleged assassin described as being in frame #413 and adjacent frames.

Additional tests made with the 8mm camera in the same zoom setting as described above show that the leaves of pyracantha foliage would have been recorded in the same approximate size as the foliage shown in the Zapruder frame #413 and adjacent frames.

1-Mr. Mintz (5048)
1-Mr. Cregar(4123 JEH)
1-Mr. Nettles(5048 JEH
1-Mr. Cochran
1-Mr. Mortimer
1-Mr. Shaneyfelt

The Deputy Attorney General

May 27, 1975

Director, FBI (62-116391)

COMMISSION ON CIA ACTIVITIES
WITHIN THE UNITED STATES

Reference is made to two letters dated April 2, 1975, and April 9, 1975, addressed to Mr. James A. Wilderotter from Mr. Robert B. Olsen, Senior Counsel of the Commission on CIA Activities Within the United States, requesting on-site investigations in Dallas, Texas, to determine the heights of two of the "derelicts" appearing in photographs taken on November 22, 1963, and requesting studies of the Zapruder, Nix and Muchmore motion picture films taken on the day of the assassination, and to determine whether or not assassins or riflemen appear in designated portions of these films as alleged.

There is attached a supplemental report of the examination requested for transmittal to the Commission if you deem it appropriate.

Assassination of Pres. John F. Kennedy

ORIGINAL FILED IN 62-116391-12

62-109060
NOT RECORDED
46 JUN 2 1975

Enclosure
1 - 62-109060

LLS:mcw
(10)

ENCLOSED

56 JUN 05 1975

DUPLICATE YELLOW

UNITED STATES GOVERNMENT

Memorandum

DEPARTMENT OF JUSTICE

TO : Director
Federal Bureau of Investigation

DATE: May 2 1975

JCK:CWB:JRR:jaj
129-11

FROM : John C. Keeney
Acting Assistant Attorney General
Criminal Division

SUBJECT: Response to Inquiries Regarding Investigation of Assassinations

Recently another flurry of interest has occurred in the assassinations by Oswald, Sirhan, Ray and attempted assassination by Bremer. In the past, we have routinely responded to inquiries on the sufficiency of the investigations in about the same tenor as indicated in the attached form letter. The inquiries are routed to us unless addressed to you. In the latter case, they are routed to the FBI for response.

Inasmuch as the allegations are in the main repetitive, or if new in all likelihood, after such investigation as may be warranted, prove unfounded (e.g. the claim that E. Howard Hunt was in Dallas on the fatal day), FBI response to all such inquiries appears appropriate unless and until significant new evidence comes to light which might warrant action by the Criminal Division. Such consolidation will insure consistency in responses, avoiding for instance the possible overstatement as to your recent remarks in Dallas. See attachment, third paragraph, last sentence.

If you concur in the foregoing, please advise the Administrative Services Section, Office of Management and Finance, of our agreement so its staff can properly route such matters in the future. We would appreciate a copy of any such advice for our files or your comment on the foregoing if you do not concur therein.

EXP-PROC
31 MAY 5 1975

REC-63 62-107160-7187

1 - ENCLOSURE

ST. 104

3 MAY 5 1975

MAY 23 1975

Ms. Anita Jan Orlaske
73 Poplar Street
Trumbull, Connecticut 06611

Dear Ms. Orlaske:

Your letter to Senator Lowell Weicker, Jr., concerning the findings of the Warren Commission has been referred to me.

The authors who have criticized the conclusions of the Warren Commission do not claim to have any significant new evidence, so far as we are aware. Rather, their criticisms and demands for a new inquiry are based upon different conclusions they have drawn from parts of the same body of evidence that was examined by the Commission. The Commission made a thorough inquiry and detailed analysis of the facts concerning the assassination. The evidence amply supports the basic conclusions of the Commission. In these circumstances, we see no basis for a new inquiry.

It has been publicly reported that Federal Bureau of Investigation Director Clarence Kelley stated that the Bureau had reviewed all the evidence which is being currently discussed and has no intention of reopening the investigation. The Warren Commission findings were confirmed.

I hope that this information is of assistance to you.

Sincerely,

JOHN C. KEENEY
Acting Assistant Attorney General

Files)
Rigdon
Keeney
OLA Room 1139

ENCLOSURE

Administrative Services Section
Office of Management and Finance

5/12/75

REC-63

Director, FBI 62-116395-7187

ST 104

RESPONSE TO INQUIRIES REGARDING
INVESTIGATION OF ASSASSINATIONS

Pursuant to a memorandum of May 2, 1975, from John C. Keeney, Acting Assistant Attorney General, Criminal Division, this is to advise that the FBI has no objections to receiving referrals of letters concerning assassinations by Oswald, Sirhan, Ray, and the attempted assassination by Bremer. We would like to request, however, that if the correspondent has already received a letter from the FBI and is writing to the Attorney General or the Department because he is not satisfied or if he expresses a desire for the opinion of the Department that the Department handle this reply without referral to the FBI.

Mr. Keeney asked that your office be informed of our decision so that your staff can properly route such matters in the future.

1 - Acting Assistant Attorney General
Criminal Division
1 - Mr. Gebhardt - Enclosure

awt:eac (7)

Assoc. Dir. ___
Dep. AD Adm. ___
Dep. AD Inv. ___
Asst. Dir.: ___
Admin ___
Comp. Syst. ___
Ext. Affairs ___
Files & Com. ___
Gen. Inv. ___
Ident. ___
Inspection ___
Intell. ___
Laboratory ___
Plan. & Eval. ___
Spec. Inv. ___
Training ___
Legal Coun. ___
Telephone Rm. ___
Director Sec'y ___

MAILED 6
MAY 13 1975
FBI

MAY 23 1975

MAY 29 1975

MAIL ROOM ☒ TELETYPE UNIT ☐

360

GPO 954-546

THE UNIVERSITY OF KANSAS MEDICAL CENTER
COLLEGE OF HEALTH SCIENCES AND HOSPITAL
RAINBOW BOULEVARD AT 39TH • KANSAS CITY, KANSAS 66103

SCHOOL OF MEDICINE
SCHOOL OF NURSING
SCHOOL OF ALLIED HEALTH
UNIVERSITY HOSPITAL

SCHOOL OF MEDICINE
DEPARTMENT OF PATHOLOGY AND ONCOLOGY
(913) 831-7000

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Telephone
Director

April 21, 1975

Clarence Kelley, Esq., Director
Federal Bureau of Investigation
Washington, D. C. 20535

Dear Mr. Kelley:

Please allow me to thank you for sending the requested seventy three (73) Xeroxed pages of raw data generated by Mr. Gallager on the artifacts from the assassination of the late President John F. Kennedy.

As you can see from the enclosures I have sent payment to your Mr. Thomas Bresson.

There remains the sixth item of request which I sent by Mailgram from Chicago and received by you two days prior to receiving my certified letter 792591 with the first five requests. This sixth request reads:

> "Advise amount of metal removed from each exhibit for chemical and or neutron activation analysis and amount of each remaining and permit me to submit any remaining to neutron activation analysis."

7188

REC 44 EX-101 5-19 5 APR 24 1975

Sincerely,

John Nichols, M. D.

cc: Mr. Shea
Mr. Bresson
Enclosures: 3

ack. 5/1/75
THB:ar

April 21, 1975

Thomas Bresson, Esq.,
Freedom of Information Unit
Federal Bureau of Investigation
Washington, D. C. 20535

Dear Mr. Bresson:

Please allow me to thank you for dispatching the seventy three (73) Xeroxed sheets of spectrographic and neutron activation raw data on artifacts aof the assassination of the late President John F. Kennedy which I had requested of Director Kelley by certified letter 792591, received by him February 20, 1975.

Enclosed is personal check number 7305 payable in the amount of forty two dollars and sixty cents ($42.60) for this service. Also enclosed is a Xerox copy of my Western Union cable of one hundred dollars ($100.00). You had advised me of the complex problem of making refunds; after receipt of the check for the exact amount you may be able to return the Western Union payment intach.

There now remains my sixth (6th) request sent by Mailgram from Chicago on February 18 and received by you on February 19 and reading: "Advise amount of metal removed from each exhibit for chemical and/or neutron activation analysis and amount of each remaining and permit me to submit any remaining to neutron activation analysis".

Sincerely,

John Nichols

cc: Clarence Kelley, Esq.
Quinlan Shea, Esq.
Enclosures: 5

1-10-60 - 7111

ENCLOSURE

April 21, 1975

Quinlan J. Shea, Jr., Esq., Chief,
Freedom of Information Appeals Unit
Office of the Deputy Attorney General
Washington, D. C. 20530

Dear Mr. Shea:

Many thanks for your letter of April 16, 1975; my delay in answer is because of being away in consultation with some atomic physicists regarding the interpetation of the neutron activation data generated by Mr. Gallager on the artifacts from the assassination of the late President John F. Kennedy.

As you can see from the enclosure I have sent Mr. Bresson my personal check in the exact amount of $42.60 to cover costs of search and Xeroxing as advised by Chief Kelley on April 15, and have requested Mr Bresson to return the one hundred dollars ($100.00) advanced by Western Union wire a few days earlier. I had by error addressed Mr. Bresson at the Justice Department.

There remains my sixth request sent by Western Union Telegraph from Chacago and received by Mr. Kelley two days prior to my letter request for the other five items. It reads:

> "Asvise amount of metal removed from each exhibit for chemical and or neutron activation analysis and amount of each remaining and permit me to submit any remaining to neutron activation analysis".

Sincerely,

John Nichols, M.D.

cc: Clarence Kelley, Esq.,
Mr. Bresson, Esq.,
Enclosure: 4

6 - 59660 - 433
7185

ENCLOSURE

MGMKCKB KSCK
2-044253E050002 02/19/75
ICS IPMBNGZ CSP
1 3125659182 MGM TDBN CHICAGO IL 02-19 0329P EST
ZIP 66208

western union Mailgram

UNITED STATES POST U.S. MAIL

JOHN NICHOLS
8003 REEDS RD
PRAIRIE VILLAGE KS 66208

THIS MAILGRAM IS A CONFIRMATION COPY OF THE FOLLOWING MESSAGE:

-3125659182 TDBN CHICAGO IL 52 02-19 0329P EST
TWX 7108229444 FBI WASH DC
CLARENCE KELLY, DIRECTOR, CARE FEDERAL BUREAU OF INVESTIGATION
PENNSYLVANIA AVE AT 9TH NORTHWEST
WASHINGTON DC

SUPPLEMENTARY TO CERTIFIED LETTER NUMBER 792591 SENT YESTERDAY RELATIVE TO ARTIFACTS OF ASSASSINATION PRESIDENT KENNEDY. ADD 6TH REQUEST TO BE "ADVISE AMOUNT OF METAL REMOVED FROM EACH EXHIBIT FOR CHEMICAL AND OR NEUTRON ACTIVATION ANALYSIS AND AMOUNT OF EACH REMAINING AND PERMIT ME TO SUBMIT ANY REMAINING TO NEUTRON ACTIVATION ANALYSIS"
JOHN NICHOLS

2038 EST

MGMKCKB KSCK

101

REC 44 62 - 10[illegible] 7188

May [illegible], 1975

1 - Mr. White
Attention: Mr. Kilty
1 - Mr. Walsh
Attention:
Budget Accounting
(Detached with enclosure)

Dr. John Nichols
The University of Kansas Medical
Center College of Health Sciences
and Hospital
Rainbow Boulevard at 39th
Kansas City, Kansas 66103

Dear Dr. Nichols:

This is in reply to your letter to me dated April 21st, with enclosures, and your letter of the same date directed to Mr. Bresson of the FBI's Freedom of Information Act Unit, which enclosed your check in the amount of $42.60.

With regard to the information requested in your mailgram dated February 18th, and subsequently discussed telephonically with Mr. Bresson, we have determined that except for small amounts of each specimen which were removed for spectographic and/or neutron activation analysis examinations, the specimens referred to were turned over to the National Archives and are in the custody of the Archivist. The amounts of material removed for preparation of the specimens for examinations were not recorded nor were the remaining weights recorded.

I trust the above information will be of assistance to you.

MAILED 7
MAY 8 1975
FBI

Sincerely yours,

C. M. Kelley

Clarence M. Kelley
Director

1 - The Deputy Attorney General - Enclosures (4)
Attention: Susan M. Hauser

Check for $42.60 detached and sent to Treasury. See Certificate of Deposit and Schedule of Collections [illegible] dated 5/14/75

NOTE: Information regarding Laboratory data was provided in M. E. Williams memo to Mr. White dated 3/13/75, captioned "FOIA Request of John Nichols Regarding JFK assassination documents." Detached copy prepared for Administrative Division for transmittal of Nichols' check.

THB:car (7)

Assoc. Dir. ____
Dep. AD Adm. ____
Dep. AD Inv. ____
Asst. Dir.:
Admin. ____
Comp. Syst. ____
Ext. Affairs ____
Files & Com. ____
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Plan. & Eval. ____
Spec. Inv. ____
Training ____
Legal Coun. ____
Telephone Rm. ____
Director Sec'y ____

MAIL ROOM ☐ TELETYPE UNIT ☐

GPO 954-546

1:31PM NITEL APRIL [illegible] 975 DMB

TO DIRECTOR, FBI [illegible]-109060

FROM BUFFALO (62-[illegible]) (P)

TELETYPE

ASSASSINATION OF PRESIDENT JOHN FITZGERALD KENNEDY, NOVEMBER 22, 1963, DALLAS, TEXAS

ON APRIL 18, 1975 SHEFIFF ALLEN L. CAPWELL (NA) WYOMING COUNTY, N.Y., PERSONALLY APPEARED AT THE BUFFALO OFFICE OF THE FBI AND RELATED THE FOLLOWING INFO WHICH HE HAD OBTAINED FROM RICHARD MONROE MARGESON, DOB JUNE 16, 1927, ROCHESTER, N.Y., RESIDING WEBSTER ROAD, WYOMING COUNTY, N.Y., ON APRIL 14, 1975 WHOM CAPWELL HAS PERSONALLY KNOWN FOR PAST FIVE YEARS. CAPWELL HAS NO REASON TO BELIEVE MARGESON IS NOT STABLE.

MARGESON WHILE LIVING IN LOS ANGELES, CALIFORNIA IN 1962 MET ONE LAWRENCE HOWARD, JR., 6 FT., 300 LBS., OF MEXICAN DECENT. HOWARD WAS ENGAGED IN COLLECTING FUNDS TO SUPPORT THE ANTI-CASTRO FORCES. HOWARD WENT TO FLORIDA KEY IN 1962 FOR SIX MONTHS FOR PURPOSE OF TRAINING TROOPS TO INVADE CUBA AND THEREAFTER IN LATE 1962 RETURNED TO LOS ANGELES ACCOMPANIED BY RUDY HERNANDEZ, MEXICAN, IN HIS 20S, 5'2", HEAVY BUILD AND

END PAGE ONE

REC-89 ST-105 [illegible]-7189

17 MAY 21 1975

CCDW.S

Asst. Dir.:
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Ext. Affairs
Files & Com.
Gen. Inv.
Ident.
Inspection
Intell.
Laboratory
Plan. & Eval.
Spec. Inv.
Training
Legal Coun.
Telephone Rm.
Director Sec'y

UNSUB AKA "SLIM," NO OTHER NAME KNOWN, WHITE MALE, 5'6", ALSO IN HIS 20S. SLIM AND RUDY RESIDED AT OLIVE HOTEL, OLIVE STREET, LOS ANGELES. HOWARD'S SPECIFIC ADDRESS UNKNOWN BUT LIVED IN EAST OR NORTHEAST LOS ANGELES.

ALL WERE EMPLOYED BY A JACK CASEY, NOT FURTHER DESCRIBED, PAINTING AND REFURBISHING THE OLD UNION TEMPLE BLDG. LOCATED BEHIND THE LOS ANGELES GREYHOUND BUS STATION. THIS BUILDING REPORTEDLY HOUSED THE MAPQUADE (PH) PRINTING SHOP IN THE BASEMENT, WHICH AT THAT TIME WAS ENGAGED IN PRINTING THE ORIGINAL DRAFT OF RICHARD M. NIXON'S BOOK AFTER HE LOST THE PRESIDENTIAL ELECTION. THROUGH THESE INDIVIDUALS, MARGESON MET A MAN CALLED "TEX" WHO ARRIVED FROM NEW ORLEANS IN LATE 1962 OR EARLY 1963. TEX REPORTEDLY WAS A HIT MAN AND DESCRIBED AS WHITE MALE, LATE 20S, 5'6" TO 5'9", SLENDER BUILD, 135 POUNDS, WITH FORMER MILITARY SERVICE AND A ROTTEN DISPOSITION. MARGESON SAID TEX VISITED MARGESON'S HOUSE ON TRIGG ST. IN

END PAGE TWO

EAST LOS ANGELES AND FURNISHED HIS NAME AS HARVEY LEE. TEX LEFT LOS ANGELES DESTINATION UNKNOWN, AFTER ABOUT TWO WEEKS.

FOLLOWING PRESIDENT KENNEDY'S ASSASSINATION AND PICTURES OF LEE HARVEY OSWALD APPEARED IN NEWS MEDIA, MARGESON REALIZED THAT TEX AND OSWALD WERE IDENTICAL.

MARGESON SAID HOWARD WAS LATER SUBPOENAED BY FORMER DISTRICT ATTORNEY GARRISON, NEW ORLEANS, LOUISIANA DURING COURSE OF GARRISON'S INVESTIGATION OF THIS MATTER. MARGESON DECIDED TO COME FORTH AFTER VIEWING A RECENT TV DOCUMENTARY ON THE WARREN COMMISSION INVESTIGATIONS WHEREIN IT WAS DEPICTED OSWALD WAS IN RUSSIA WHILE IN FACT OSWALD WAS IN CALIFORNIA. THIS CAUSED MARGESON TO BELIEVE THAT A CONSPIRACY COULD POSSIBLY HAVE EXISTED IN THAT OSWALD MAY NOT HAVE ACTED ALONE.

BUFFALO INDICES CONTAIN NOTHING IDENTIFIABLE WITH MARGESON AND HOWARD.

BUREAU IS REQUESTED TO ASSESS THE ABOVE INFO AND FURNISH BUFFALO WITH PERTINENT INFO TO ASSIST BUFFALO WITH INTERVIEW OF MARGESON IN EVENT BUREAU SO DESIRES.

END

Airtel

5/18/75

To: SACs Buffalo (62-1827)
Dallas
Los Angeles
New Orleans

ST-105
REC-89

1 - Mr. Gebhardt
1 - Mr. O'Connell
1 - Mr. Nettles
1 - Mr. Wannall

From: Director, FBI (62-109060) — 7189

ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY
NOVEMBER 22, 1963
DALLAS, TEXAS

ReButelcal to Buffalo, 5/5/75, and Buffalo teletype to Bureau 4/18/75.

For information of other receiving offices, by retel Buffalo advised as follows:

MAILED 3
MAY 20 1975
FBI

On 4/18/75, Sheriff Allen L. Capwell (NA) Wyoming County, New York, personally appeared at the Buffalo Office of the FBI and related the following information which he had obtained from Richard Monroe Margeson, DOB 6/16/27, Rochester, New York, residing Webster Road, Wyoming County, New York, on 4/14/75, whom Capwell has personally known for past five years. Capwell has no reason to believe Margeson is not stable.

Margeson while living in Los Angeles, California, in 1962, met one Lawrence Howard, Jr., 6', 300 lbs., of Mexican descent. Howard was engaged in collecting funds to support the anti-Castro forces. Howard went to Florida Key in 1962 for six months for purpose of training troops to invade Cuba and thereafter in late 1962 returned to Los Angeles accompanied by Rudy Hernandez, Mexican, in his 20s, 5'2", heavy build

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Laboratory ____
Legal Coun. ____
Plan. & Eval. ____
Spec. Inv. ____
Training ____
Telephone Rm. ____
Director Sec'y ____

WEN:cjl (13)

SEE NOTE PAGE 6 . . .

56 JUN 3 1975

MAIL ROOM ☐ TELETYPE UNIT ☐

and unsub, aka "Slim," no other name known, white male, 5'6", also in his 20s. Slim and Rudy resided at Olive Hotel, Olive Street, Los Angeles. Howard's specific address unknown but lived in East or Northeast Los Angeles.

All were employed by a Jack Casey, not further described, painting and refurbishing the old Union Temple building located behind the Los Angeles Greyhound Bus Station. This building reportedly housed the Marquade (PH) Printing Shop in the basement, which at that time was engaged in printing the original draft of Richard M. Nixon's book after he lost the Presidential election. Through these individuals, Margeson met a man called "Tex" who arrived from New Orleans in late 1962 or early 1963. Tex reportedly was a hit man and described as white male, late 20s, 5'6" to 5'9", slender build, 135 pounds, with former military service and a rotten disposition. Margeson said Tex visited Margeson's house on Trigg Street in East Los Angeles and furnished his name as Harvey Lee. Tex left Los Angeles destination unknown, after about two weeks.

Following President Kennedy's assassination and picture of Lee Harvey Oswald appearing in news media, Margeson realized that Tex and Oswald were identical.

Margeson said Howard was later subpoenaed by former District Attorney Garrison, New Orleans, Louisiana during course of Garrison's investigation of this matter. Margeson decided to come forth after viewing a recent TV documentary on the Warren Commission investigations wherein it was depicted Oswald was in Russia while in fact Oswald was in California. This caused Margeson to believe that a conspiracy could possibly have existed in that Oswald may not have acted alone.

Buffalo indices contain nothing identifiable with Ma[illegible] and Howard.

Bureau files contain no information identifiable wit[illegible] Margeson.

Airtel to SACs BU, DL, LA, NO
Re: ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY

Review of Bureau files reveals the following information:

There is no indication that Lee Harvey Oswald used the aliases Harvey Lee or "Tex." He did use the alias "O. H. Lee" while renting a room in Dallas, Texas, in October - November, 1963.

There is no indication Oswald was in California in the 1960s. He left Russia in May, 1962, and took up residence in Fort Worth, Texas, in June, 1962. He lived at several residences there and in Dallas, Texas, until April, 1963, when he left for New Orleans, Louisiana. He lived at various addresses there until September, 1963, when he went to Mexico for several days and then returned to Texas.

Coverage of his movements at any time was not necessarily complete. For the end of 1962 and early 1963 there is a period of time, 10/19/62-11/3/62, when his wife resided with several people in Texas and there was no record of his residence. There are no readily discernable gaps in his stay in New Orleans.

Lawrence John Howard, Jr., DOB 1/17/35, 5'11", 222 pounds, black wavy hair, brown eyes, medium olive complexion, who speaks English and Spanish fluently, was interviewed in 1964, in connection with the assassination of President Kennedy. At that time he resided with his wife, Rose, and two daughters at 3191 Blanchard Street, Los Angeles. He was employed at I. T. E. Circuit Breaker Company.

This interview was based on an allegation by Sylvia Odio, an anti-Castro Cuban refugee living in Dallas, Texas, that she was visited in Dallas on 9/26-27/63 by Oswald and two Cuban companions. Investigation determined that on 9/26-27/63, Oswald was en route from New Orleans to Mexico by bus. Subsequent investigation revealed that the persons who visited Odio were probably Howard, William Houston Seymour and Loran Eugene Hall. Odio was shown photographs of the three but her memory was hazy and she could not recall meeting them. She testified before the Warren Commission regarding this meeting. She was under the care of a psychiatrist at the time. The Commission concluded that she had not met Oswald.

Howard, when interviewed in 1964, denied ever meeting Odio or ever knowing Oswald. He was in the Florida Keys in January, 1963, training with a group of men planning for an anti-Castro invasion of Cuba. He met Hall in Florida. He returned to Los Angeles in August, 1963, for 17 days and then returned to Florida, stopping off in Dallas.

Bureau files contain no information as to his whereabouts at specific times in 1962.

Howard and Hall were subsequently subpoenaed to New Orleans, Louisiana, by District Attorney James Garrison in connection with his assassination probe.

Eugene Hall, aka Lorenzo Pascillo, DOB 1/4/30, 5'11 1/2", 200 pounds, black hair, hazel eyes, dark complexion, mustache since 1960 and a full beard in September, 1963, resided in Kernville, California, when interviewed in 1964. He operated the Rainbow Motel in Kernville and was also employed as a truck driver. He mentioned that Seymour generally resembled Oswald and could be mistaken for him. He could recall no meeting with Odio.

Houston Seymour was interviewed in Phoenix, Arizona, where he lived and worked as a welder, in 1964. He admitted being involved in training anti-Castro Cubans in Florida, but denied ever meeting Oswald. He said that in September, 1963, he, Hall, and Howard went to Los Angeles. He stated he did not leave Florida between March, 1962, and October, 1963.

Seymour is described as DOB 1/12/37, 5'6", 140 pounds, brown curly hair and blue eyes, FBI # 365 647 D.

Bureau files contain no information identifiable with Rudy Hernandez or "Slim."

Margeson's information pertaining to Oswald allegedly being in Russia while in fact he was in California is incorrect relative to the time Oswald was in Russia. Margeson alleges to have seen Oswald in California in late 1962 or early 1963. Oswald returned to the United States in June, 1962. He lived in Texas until April, 1963, when he moved to New Orleans. Additionally, it does not coincide with the time Oswald was in New Orleans.

Dallas, Los Angeles, and New Orleans should evaluate the information received from Margeson to determine if there is a possibility Oswald was in Los Angeles in the company of Howard. All three offices should check indices regarding Margeson, Rudy Hernandez, and "Slim."

Buffalo hold any interview of Margeson in abeyance.

Airtel to SACs BU, DL, LA, NO
Re; ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY

NOTE: Richard Monroe Margeson of Rochester, New York, alleges to have met Lee Harvey Oswald (who was using name Harvey Lee, aka "Tex") in Los Angeles in late 1962 or early 1963 through Lawrence Howard, Rudy Hernandez, and a person known as "Slim," who were associated with training anti-Castro forces in Florida for an invasion of Cuba. He says he recently became concerned that there might have been a conspiracy to kill President Kennedy after viewing a TV program which depicted Oswald as being in Russia when he was actually in California. The basis for his assumption is incorrect in that Oswald returned to the U. S. in June, 1962. Howard's name did figure in the Kennedy assassination in relation to a woman in Dallas, Texas, claiming that Oswald visited her in September, 1963, with two Cuban companions. Investigation determined the persons who actually visited her were possibly Howard and two other individuals. The Warren Commission concluded she had never actually met Oswald. Bureau files reflect that the exact location of Oswald was not absolutely known for all given periods of time after returning to the U.S. By this communication, Dallas, Los Angeles, and New Orleans are directed to assess Margeson's information to determine if there is a possibility Oswald did go to Los Angeles. Buffalo is instructed to hold any interview of Margeson in abeyance.

FBI

Date: 4/17/75

Transmit the following in _____ (Type in plaintext or code)

Via AIRTEL _____ (Priority)

TO: DIRECTOR, FBI (62-109060)
(ATTN: SA LYNDAL L. SHANEYFELT, FBI LAB)

FROM: SAC, DALLAS (89-43) (P)

SUBJECT: ASSASSINATION OF JOHN FITZGERALD KENNEDY,
Dallas, Texas,
11/22/63
MISCELLANEOUS-INFORMATION CONCERNING

OO: DALLAS

Re Bureau teletype to Dallas dated 4/14/75 and Dallas airtel to Bureau dated 4/15/75.

There is being forwarded to the Bureau under separate cover one inoperative Twin Lens Reflex Mamiyaflex camera, serial number 65397 with viewing lens number 692766 and 65mm wide angle lens number 692615, made available by TOM C. DILLARD, Chief Photographer, the Dallas Morning News, Dallas, Texas, on 4/17/75.

Also there is enclosed herewith for the Bureau the following one contact print containing two photographs believed from the original negative which photographs are described as follows:

REC-56 62-109060-7190

(1) Photograph of police officer followed by three individuals, the last of the individuals alleged to be E. HOWARD HUNT. This photograph shows immediately to the right of the police officer's right hand, a traffic sign which is up

SEALED ENCL
"ENCLOSURE ON BULKY PAMP"

3-Bureau (Enc. 3) (1 Package Copy) (RM)
2-Little Rock (105-406) (Enc. 2)
2-Dallas
RPG:ls
(7)

15 APR 21 1975

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

U. S. GOVERNMENT PRINTING OFFICE : 1966 O - 340-000 (11)

side down. This photograph is believed identical to one of the unnumbered photographs contained in the seven photographs furnished Dallas by Bureau airtel dated 9/18/74.

(2) Photograph of three individuals taken from railroad boxcar by Dallas PD showing them immediately in front of the Texas School Book Depository. This photograph is believed to be identical to the other unnumbered photograph among the seven photographs furnished by the Bureau by Bureau aritel of 9/18/74.

One copy of each of the two photographs of the original contact print are also enclosed for the Bureau. Little Rock is being furnished one copy each of the two photographs contained from the original contact print.

On 4/16/75, Mr. TERENCE WALSH, Assistant Managing Editor, the Dallas Morning News, Dallas, Texas, advised that JACK BEERS was a photographer for that newspaper at the time of the assassination but had died recently. He stated that individuals in the Dallas Morning News Photograph Department were familiar with photographs taken by Mr. BEERS during the assassination investigation.

On 4/16/75, TOM C. DILLARD, Chief Photographer, Dallas Morning News, Dallas, Texas, advised that the only photographs available at the Dallas Morning News concerning the three individuals taken off the railroad boxcar by the Dallas PD on 11/22/63 was a copy of a photograph taken by IRA JEFFERSON BEERS, JR., also known as JACK BEERS. He stated no negative of this photograph is available at the Dallas Morning News and that the original negative would likely be in the possession of Mrs. CHRISTINE BEERS, widow of JACK BEERS, 10913 Joaquin, Dallas, Texas, telephone number 321-2812 (unlisted).

Mr. DILLARD stated that the one copy of such photograph at the Dallas Morning News files taken by Mr. BEERS would have been taken by him with a Twin Lens Reflex Mamiyaflex camera on 120 Tri-X Pan film, probably with a 65mm wide angle lens. Mr. DILLARD stated he would endeavor to locate the actual camera used by BEERS and make same available, which he did do on 4/17/75, and a receipt was given him for such camera which is to be returned when it has served its purpose.

Mr. DILLARD stated that JOHN T. FLYNN, Senior Staff Photographer, Dallas Morning News, had been acting as agent for Mrs. JACK BEERS in connection with JACK BEERS' effects because of so many inquiries from individuals about photographs he had taken.

On 4/16/75, JOHN T. FLYNN, Senior Staff Photographer, Dallas Morning News, Dallas, Texas, advised that JACK BEERS died on 2/17/75 of a heart attack. He stated he recalls BEERS telling him prior to his death that he had rented the original negative of one or two photographs he had taken of the three individuals taken off the railroad boxcar by the Dallas PD on 11/22/63 to a representative of Stern Magazine (believed to be a German magazine), with offices in New York City for a fee of $750 and that such original negative was to be returned by 2/15/75. He stated he would contact Mrs. BEERS and arrange a complete search of Mr. BEERS' effects on the evening of 4/16/75 for any available photographs of the three individuals in question. He was specifically instructed to make known to Mrs. BEERS the fact that the FBI desired to utilize the original negative or original contact print or prints made available in an official investigation requested by the Rockefeller Commission.

On 4/17/75, Mrs. CHRISTINE BEERS, 10913 Joaquin, Dallas, Texas, telephone [redacted] (unlisted) telephonically contacted SA ROBERT P. GEMBERLING to advise that she had made available to Mr. FLYNN on 4/16/75 what she believes to be the original contact print showing two photographs of the three individuals in question. She stated there were no other photographs or negatives of these three individuals available. She stated she believed the original negative for those two pictures was possibly in the possession of some magazine, the identity of which she did not recall. She requested the original contact print of these two photographs be obtained from Mr. FLYNN and returned to him when it had served its purpose.

It should be noted that of the seven photographs furnished by the Bureau with Bureau airtel of 9/18/74, all have been identified with the exception of those numbered one and three.

DL 89-43

Two copies of this communication together with one copy each of the photographs contained from the print obtained from Mr. FLYNN have been furnished the Little Rock Office for their assistance in handling investigation requested by referenced Dallas airtel.

1 - Mr. Shaneyfelt

Airtel

May 19, 1975

To: SAC, Dallas (89-43)

From: Director, FBI (62-109060) — 7190

REC 56 ST-117

ASSASSINATION OF JOHN FITZGERALD KENNEDY, DALLAS, TEXAS
11-22-63
MISCELLANEOUS - INFORMATION CONCERNING
OO: DALLAS

Reurairtels dated April 15, 1975, and April 17, 1975, advising that a twin lens Mamiyaflex camera, SN 65397, with viewing lens, SN 692766 and 65mm lens, SN 692615, was being furnished separately, and enclosing contact print strips of two photographs taken with the above described Mamiyaflex and also enclosing a proof strip and other copies of photographs taken with a 35mm camera by photographer William Allen.

The Mamiyaflex camera was used by SA Lyndal L. Shaneyfelt in Dallas on May 7 and May 8, 1975, for on-site studies being made for the Rockefeller Commission. The Mamiyaflex was turned over to representatives of your office on May 8, 1975, for temporary retention. The Laboratory studies have been completed for the Rockefeller Commission and the Mamiyaflex, therefore, can be returned to the Dallas Morning News photographer Tom C. Dillard who made it available.

Enclosures (2)

[illegible]:mcw
(5)

Assoc. Dir. ____
Dep. AD Adm. ____
Dep. AD Inv. ____
Asst. Dir.:
Admin. ____
Comp. Syst. ____
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Laboratory ____
Plan. & Eval. ____
Spec. Inv. ____
Training ____
Legal Coun. ____
Telephone Rm. ____
Director Sec'y ____

MAILED 7
MAY 19 1975
FBI

MAY 20 1975

MAIL ROOM ☑ TELETYPE UNIT ☐

Airtel to Dallas
RE: ASSASSINATION OF JOHN FITZGERALD
KENNEDY, DALLAS, TEXAS
11-22-63
MISCELLANEOUS - INFORMATION CONCERNING
OO: DALLAS
62-109060

The contact print strip of the two photographs from the Mamiyaflex camera and the contact strip print of photographs made by photographer William Allen are returned herewith and should be returned to the contributors.

OFFICE OF THE
DEPUTY ATTORNEY GENERAL

May 5, 1975

Mr. Adams,

Attached is another letter on the Kennedy Assassination....as usual, I've forwarded a copy to Mr. Mintz and have kept the orignal for our files.

Many thanks.

Judy Woolley

ORIGINAL FILED IN

62-109

NOT RECORDED
46 JUN 10 1975

17 MAY 28 1975

COMMISSION ON CIA ACTIVITIES WITHIN THE UNITED STATES
Washington, DC 20500

Nelson A. Rockefeller,
Chairman
John T. Connor
C. Douglas Dillon
Erwin N. Griswold
Lane Kirkland
Lyman L. Lemnitzer
Ronald Reagan
Edgar F. Shannon, Jr.

David W. Belin,
Executive Director

May 2, 1975

[Phone: 456-2767]

Honorable Harold R. Tyler, Jr.
Deputy Attorney General
Department of Justice
Washington, D. C. 20530

Dear Mr. Tyler:

We would appreciate being provided with all information in the hands of the FBI relating to the "derelicts" found in or near railroad cars and taken into custody in Dallas, Texas, on November 22, 1963, the day of the assassination of President Kennedy. We have already examined the photographs taken of some of those derelicts, and they need not be included in the information supplied to us.

With particular reference to the three derelicts whose photographs have received considerable attention in the past year, we are especially interested in learning where and when they were taken into custody, whether any weapons or ammunition was ever found and associated with them, and the details concerning their movements and interrogation after they were taken into custody. We would also like to know whether they have ever been identified.

Very truly yours,

Robert B. Olsen
Senior Counsel

FOUN
courtesy TH

SUPP 62-107061

1 - Mr. Gebhardt
1 - Mr. O'Connell
1 - Mr. Nettles

The Deputy Attorney General

May 15, 1975

1 - Mr. Mintz
(Route thru for review)
1 - Mr. Moore
1 - Mr. Wannall
1 - Mr. White
(Attn: Shaneyfelt)

Director, FBI

62-109060

COMMISSION ON CIA ACTIVITIES WITHIN THE UNITED STATES

Reference is made to the May 2, 1975, letter of Robert B. Olsen, Senior Counsel, Commission on CIA Activities Within the United States, to the Deputy Attorney General, requesting all information pertaining to the three individuals arrested in or near railroad cars in Dallas, Texas, on November 22, 1963, which was forwarded to the FBI.

Attached are three copies of a memorandum dated May 13, 1975, in response to this request. As noted in the memorandum, the basic information requested has already been furnished to the Commission by FBI memorandum of February 26, 1975, a copy of which is attached for your information.

MAILED 6 MAY 16 1975 FBI

Also, as noted in the attached memorandum of May 13, 1975, a representative of the FBI Laboratory was in Dallas, Texas, during the week of May 5 - 9, 1975, in relation to a request from the Commission for an on-site study of the photographs taken of the three individuals in the custody of Dallas, Texas, police officers. He had occasion to interview the police officers involved and is including in his report, maps and photographs concerning the location where the three persons were taken into custody and the route taken to the Sheriff's Office.

If approved, it is requested that the attached memorandum be forwarded to the Commission.

Enclosures (4)

2 ENCLOSURES

NOTE: Representative of FBI Laboratory who is submitting separate report is Lyndal L. Shaneyfelt. This memo to the Deputy Attorney General and the attached LHM should be routed through Assistant Director Mintz for approval.

1 - 62-109060
1 - 62-116391

PEL:mss (11)

INITIALS OR ORIGINATOR

INITIALS OR CONCURRENCE

PLM

84 JUN 11 1975

MAIL ROOM TELETYPE UNIT

ORIGINAL FILED IN

THIS SERIAL HAS BEEN REFERRED TO ANOTHER AGENCY AND IS IN A PENDING STATUS:

FILE NO. 62-109060

SERIAL NO. UNREC. AFTER 7190

PAGE NO.

NO. OF PAGES 4

SECTION NO.

179

U.S SECRET SERVICE

REFERRAL

FBI LABORATORY

FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D. C. 20535

1-Mr. Cregar(4123 DEH)
1-Mr. Nettles(5048 JEH)
1-Mr. Cochran
1-Mr. Mortimer
1-Mr. Shaneyfelt

To:

Mr. Robert B. Olsen
Senior Counsel
Commission on CIA Activities
Within the United States
Washington, D. C. 20500

May 15, 1975

FBI FILE NO. REGISTERED
62-116391

LAB. NO.
D-750415161 HO

YOUR NO. D-750513010 HO

Re:

Commission on CIA Activities
Within the United States

Clarence M. Kelley
Director

Examination requested by:

Addressee

Reference:

Two letters dated April 2, 1975, and April 9, 1975, directed

Examination requested: Mr. James A. Wilderotter

Request for a photographic anglysis of the Zapruder, Nix and Muchmore films covering the assassination of President John F. Kennedy

Result of examination:

Frame #413 of the Zapruder film and adjacent frames were studied for the presence of a rifleman concealed in the foliage shown in the lower portion of these frames. The series of frames show the highlight and shadow areas of the foliage changing from frame to frame to create the form described as an assassin holding a rifle. This study would suggest that this is merely an accidental pattern caused by highlights and shadows of the leaves and not an assassin.

This conclusion is verified by a study of the assassination film taken by Orville Nix on November 22, 1963, which shows Mr. Zapruder and the area adjacent to him. This film shows that the foliage in these Zapruder pictures is from a

ORIGINAL FILED IN

Enclosures (10)

Enclosures furnished to Conn. Mutual

62-116391

NOT RECORDED
46 JUN 16 1975

(over)

Page 1
(1) - 62-109060
JFK Assassination (10)
JUN 23 1975

MAIL ROOM ☐ TELETYPE UNIT ☐

102

small tree to the right of the abutment on which Zapruder is standing and over which he would have been filming for frame #413 and adjacent frames. This small tree is a topiary type tree of pyracantha, the trunk of which was measured to be seven and one-half feet from the abutment on which Zapruder was standing. This abutment is fifty inches above the ground and is thirty and one-half inches wide. The above measurements were made on May 8, 1975. On that date the trunk of the tree was approximately five inches in diameter.

From a comparison of these measurements with the photographs from the Nix film, it is estimated that the foliage of the tree starts about four to four and one-half feet from the ground. The foliage is oval in shape and appears to have been approximately two feet high by four feet wide. This would give an estimate of the height of the tree at approximately six to six and one-half feet.

The Nix film shows the trunk of the tree against the white abutment and adjoining wall and no human being can be observed in the area of the tree other than Mr. Zapruder, standing on the abutment as previously described. Further, it is doubtful that a man with a rifle could be concealed in the dense and angular foliage of this tree because of its small size. Further, a study of frame #413 and adjacent frames shows that Zapruder did not stop panning his camera at frame #413 as alleged. Four charts showing the above are attached.

A study was also made of frames 454 through 478 of this Zapruder film where it has been alleged that an assassin is in the vicinity of the stockade fence. An examination of these frames does not reveal any formation identifiable as a human being or an assassin with a rifle or other weapon. A set of these photographs is attached.

Regarding the allegation that a rifleman is standing along the wall in the film taken by Orville Nix, no figure of a human being could be found in the area described. The area along the wall that was pointed out as an assassin with a rifle in a standing military firing position was found to be approximately nineteen feet to the right of where Mr. Zapruder was standing and anyone along the wall at that point would have been clearly visible to Mr. Zapruder. It is pointed

out that the area behind this wall contains clump type shrubbery with the foliage removed from the lower trunks of the shrubbery. The configuration described as a rifleman is believed to be the trunk or trunks of this shrubbery. This is shown on one of the charts described above.

Studies were conducted in the vicinity of the Texas School Book Depository in Dallas, Texas, on May 7 and May 8, 1975, in an effort to determine the approximate height of two of the "derelicts" and determine how the heights compared with the heights of E. HOWARD HUNT and FRANK STURGIS. Some of the photographs were duplicated using height standards and these duplicated photographs were superimposed over the photographs of the "derelicts" and police officers to establish the approximate heights of these individuals. Other photographs were not duplicated because of alterations in streets, street lights, traffic signals and other objects appearing in these pictures. Based on the comparisons made, it was found that the tallest of the "derelicts", purported to be FRANK STURGIS, is in the height range from six feet one inch, to six feet three inches. The shortest of the three "derelicts" was found to be in the height range from five feet six inches, to five feet eight inches. This determination of height supports the conclusion previously given that these "derelicts" are not FRANK STURGIS and E. HOWARD HUNT, since FRANK STURGIS is five feet eleven inches tall, and E. HOWARD HUNT is five feet nine inches tall. Three charts showing these comparisons are attached.

The three police officers who removed the three "derelicts" from the railroad boxcar following the assassination of President Kennedy on November 22, 1963, were interviewed on May 7, 1975, regarding the location of the railroad boxcar from which the "derelicts" were removed. The officer leading the group in the majority of the pictures is Bill Bass of the Dallas Police Department. The other officer in the majority of these photographs is Marvin Wise. Officer Roy Vaughn does not appear in any of the photographs. Officers Bass and Wise both advised that the men were removed from a boxcar on the tracks in the vicinity of the Houston Street viaduct. This area is approximately one-half mile south of the School Book Depository. Mr. Vaughn did not recall the location of the

railroad car. All officers advised that they found the men standing in one end of the boxcar and took them from there to the sheriff's office for interrogation. They walked from the boxcar at the Houston Street viaduct along the railroad tracks to the parking lot, in back of the Texas School Book Depository, and then walked in front of the Texas School Book Depository diagonally across the intersection to the sheriff's office. Two photographs of the area where the boxcar was located and a map of this location showing the route to the Texas School Book Depository are attached.

FBI

Date: 4/15/75

Transmit the following in _____ (Type in plaintext or code)

Via AIRTEL _____ (Priority)

TO: DIRECTOR, FBI (62-109060)
ATTN: SA LYNDAL L. SHANEYFELT, FBI LABORATORY

FROM: SAC, DALLAS (89-43)(P)

SUBJECT: ASSASSINATION OF JOHN FITZGERALD KENNEDY
DALLAS, TEXAS
11/22/63
MISCELLANEOUS - INFORMATION CONCERNING
OO: DALLAS

Re Butel to Dallas, 4/14/75.

For information of Little Rock, the Rockefeller Commission has requested on-site study to determine the height of three individuals detained by Dallas PD 11/23/63 but not booked, fingerprinted, or otherwise identified. Two of these individuals have been described as resembling E. HOWARD HUNT and FRANK STURGIS both associated with the Watergate break-in.

REC-56

ST-117

62-109060-7191

These three individuals were located by Dallas Police Officers on 11/22/63, while sweeping out a boxcar approximately one mile from the assassination site. They were released by police after they were eliminated as to any participation.

ENCLOSURE

(3) - Bureau (Enc. 7)
2 - Little Rock (105-406)(Enc. 7)
2 - Dallas
RPG:tlp
(7)

APR 17 1975

SEVEN

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

51 JUN 04 1975

U. S. GOVERNMENT PRINTING OFFICE : 1969 O - 346-090 (113)

DL 89-43

Enclosed for Little Rock are seven different photographs furnished Dallas by Bureau airtel of 9/18/74. Such photographs were obtained by the Bureau from one MICHAEL CANFIELD of New York who was formerly associated with [redacted]. CANFIELD claimed he obtained these seven photographs from Dallas newspaper files.

The files of "The Dallas Times Herald," Dallas, Texas, have been thoroughly searched personally by SA ROBERT P. GEMBERLING, and photographs numbered 2, 4, and 5 are believed to have been taken by photographer WILLIAM ALLEN who on 11/22/63, was working in Dallas on assignment for "The Dallas Times Herald," but on the payroll of UPI. "The Dallas Times Herald" files do not reflect any negative or photographs identical to the other four photographs described above.

On 4/14/75, Mr. KENNETH SMART, Associate Editor, after clearance through FELIX R. MC KNIGHT, Vice Chairman, TOM JOHNSON, Publisher, WILL JARRETT, Managing Editor, all of "The Dallas Times Herald", made available two proof sheets, one 4 x 5 positive of each of the three photographs numbered 2, 4, and 5 above, and one 4 x 5 copy of each of the three copy negatives of the three photographs numbered 2, 4, and 5 above stating these photographs believed taken by WILLIAM ALLEN, were taken with 35 millimeter Kodak Tri-X Pan film. He stated the original negative of these three photographs will be available for examination by an FBI representative at any time at "The Dallas Times Herald" through contact with Mr. SMART or in his absence RAY ADLER, Assistant Picture Editor.

Enclosed for the Bureau is one proof sheet and the three 4 x 5 positives and three 4 x 5 copy negatives.

On 4/15/75, JERRY MC NEILL, Picture Editor, "The Dallas Times Herald", Dallas, Texas, advised that

WILLIAM ALLEN who took photographs numbered 2, 4, and 5 in the seven photographs enclosed for Little Rock, is now operating a photographic studio in Little Rock, Arkansas, known as Dungan and Allen or Allen and Dungan.

Mr. SMART and Mr. MC NEILL indicated on 4/15/75, that it is possible some of the photographs from their files were taken shortly after the assassination, because many individuals were examining them and that it is possible some original negatives or photographs may no longer be available. Mr. SMART also stated that on the morning of 4/15/75, he had received a telephone call from an individual identifying himself as MICHAEL CANFIELD, a writer - researcher from New York, who requested to see photographs relating to the assassination which SMART refused to do. SMART states he feels CANFIELD was probably referring to the same photographs connected with instant inquiry. Both Mr. SMART and Mr. MC NEILL pointed out that both UPI and AP made copies of numerous photographs taken during the early stages of the assassination investigation, and the negatives of the other four photographs made available by CANFIELD may possibly be in UPI or AP files. He suggested contact with F. W. LYON at UPI, 220 East 42nd Street, New York City, and with Mr. HAL BUELL, AP at 50 Rockefeller Plaza, New York City.

The Bureau in referenced teletype instructed as follows:

> "The Dallas Office should immediately obtain the original negatives of the seven photographs relating to these arrests, and if possible, obtain the cameras used to take these photographs. If the original negatives cannot be obtained, you should request good contact prints showing the full negatives without masking for borders. If the cameras used to take these photographs are not

"available, you should request information regarding the negative size and the lens focal length and speed. If the negatives or prints showing the full negatives are not available, you should determine whether or not the photographs in the Dallas Office represent the approximate full negative area. This matter should be handled without delay since the commission has requested that this matter be handled with the 'greatest possible speed.' You should contact SA SHANEYFELT in the FBI Laboratory on extension 3522 for any further information or verification of this request."

LEAD

LITTLE ROCK

AT LITTLE ROCK, ARKANSAS. Little Rock is requested to immediately locate WILLIAM ALLEN for interview as requested by Bureau. Also endeavor to determine if he can identify photographs 2, 4, and 5 as those taken by him, and whether he took the other four photographs of these three individuals. If so, ascertain where original negative of other four photographs is located. If he did not take the other four photographs, ascertain if he knows identity of photographer who did take them and the location of the original negative for such photographs. Telephonic contact should be had with SA LYNDAL L. SHANEYFELT, FBI Laboratory, extension 3522, for last minute instructions before interview of ALLEN.

FBI

Date: 4/21/75

Transmit the following in _____ (Type in plaintext or code)

Via AIRTEL AIRMAIL (Priority)

TO: DIRECTOR, FBI (62-109060)
ATTN: SA LYNDAL L. SHANEYFELT, FBI LABORATORY

FROM: SAC, LITTLE ROCK (105-406) (P)

SUBJECT: ASSASSINATION OF JOHN
FITZGERALD KENNEDY,
DALLAS, TEXAS
11/22/63
MISCELLANEOUS - INFORMATION CONCERNING
OO: DALLAS

NW 55018 Rm 5018

Re Little Rock airtel to Bureau, 4/17/75.

Being forwarded to the Bureau under separate cover is a Nikon, S-3, camera, serial number 6312156, with a 50 mm Nikkor lens, serial number 390058, furnished to the FBI by WILLIAM GASTON ALLEN on 4/21/75.

On 4/21/75, WILLIAM GASTON ALLEN, Dungan and Allen, Inc., 1008 W. 2nd, Little Rock, Arkansas, furnished to SA JOHN D. COTTERMAN a Nikon S-3 camera, serial number 6312156, with a Nikkor 50 mm lens, serial number 390058, and he was furnished with a receipt for the camera and lens by SA COTTERMAN. ALLEN stated he also had a 35 mm Soliger lens and an 85 mm Nikkor lens for this camera.

7192

REC-28 62-109060-7192

He recalled that approximately a year ago he received a telephone call from an unrecalled individual working for a group of people trying to publish a book on the KENNEDY assassination. He could furnish no specific information as to who made the call or the identity of the group. The name [redacted] was unfamiliar to him.

(2) - Bureau
1 - Package (RM)
2 - Dallas (89-43)
2 - Little Rock
JDC/smf
(7)

APR 23 1975

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

U. S. GOVERNMENT PRINTING OFFICE : 1969 O - 346-089 (11)

At the time ALLEN furnished the Nikon camera, measurements were taken to determine the height of his eye from the floor for use by the Laboratory in making examinations. Depending on the position assumed by WILLIAM ALLEN, the height of his eye would probably have been between 5'3½" and 5'7" from the floor.

REQUEST OF THE FBI LABORATORY

Laboratory is requested to return the Nikon S-3 camera to Little Rock when examinations are complete.

JEH)

1 - Mr. Mortimer
1 - Mr. Shaneyfelt

Airtel

May 16, 1975

ST-10

To: SAC, Little Rock (105-406)

DEC-28 From: Director, FBI (62-109060) 7192

ASSASSINATION OF JOHN
FITZGERALD KENNEDY,
DALLAS, TEXAS
11-22-63
MISCELLANEOUS - INFORMATION CONCERNING
OO: DALLAS

Reurairtel April 21, 1975, advising that a Nikon S-3 camera, SN 6312156, with a 50mm Nikor lens, SN 390058, was being furnished to the Bureau under separate cover.

The FBI Laboratory has completed the examinations requested by the Rockefeller Commission and the above described camera and lens are being returned to Little Rock under separate cover to be returned to William Gaston Allen, who made this camera and lens available to the Bureau.

1 - Dallas
1 - Package copy

LG:mgm
(9)

Assoc. Dir. ____
Dep. AD Adm. ____
Dep. AD Inv. ____
Asst. Dir.:
Admin. ____
Comp. Syst. ____
Ext. Affairs ____
Files & Com. ____
Gen. Inv. ____
Ident. ____
Inspection ____
Intell. ____
Laboratory ____
Plan. & Eval. ____
Spec. Inv. ____
Training ____
Legal Coun. ____
Telephone Rm. ____
Director Sec'y ____

MAILED 7
MAY 16 1975
FBI

5 MAY ROOM 3 TELETYPE UNIT

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. J. B. Adams

DATE: 5-23-75

FROM : Legal Counsel

SUBJECT: ASSASSINATION OF JOHN FITZGERALD KENNEDY
DALLAS, TEXAS
11-22-63

SENATE SELECT COMMITTEE ON INTELLIGENCE ACTIVITIES

On 5-22-75 CIA requested from the FBI copies of photographs of three "bums" who were taken into custody by Dallas authorities on 11-22-63 in the vicinity of the Texas School Book Depository. It has been alleged that the three persons shown in the photographs were E. Howard Hunt and Frank Sturgis, individuals involved in the Watergate incident, and Thomas Arthur Vallee, who was arrested in Chicago, Illinois, several days before the Kennedy assassination based on a threat against the President. [redacted] Special Assistant to Senator Henry Jackson (D-Wash.), made available on 9-12-74 to Inspector Bowers a set of the photographs depicting these "bums" which had been furnished [redacted] by one Michael Canfield and the FBI Laboratory made copies from these prints, the original being returned to [redacted] requested that his identity be concealed as the source of these photographs. Canfield was supposed to furnish a set of these photographs to Washington Field Office but it has been determined he never did so.

At Mr. Adams' instructions, Bowers contacted [redacted] on 5-22-75 and advised him of the CIA request for a set of these photographs. [redacted] was told that if he has no objections we intend to furnish CIA a set of the pictures with the statement that the originals were obtained from an individual who requested his identity be concealed. [redacted] stated that was quite satisfactory to him, adding that if it becomes necessary he would agree to his identity being disclosed as the source of these pictures.

REC 67 MAY 30 1975

1 - Mr. Gebhardt
1 - Mr. Wannall
1 - Mr. White
1 - Mr. Mintz
1 - Mr. Cregar
1 - Mr. Bowers

DWB:kjs (8)

CONTINUED - OVER

84 JUN 3 1975

UNRECORDED COPY FILED IN

Legal Counsel to Mr. J. B. Adams
RE: ASSASSINATION OF JOHN FITZGERALD KENNEDY
SENATE SELECT COMMITTEE ON INTELLIGENCE ACTIVITIES

Appropriate personnel of the General Investigative, Intelligence, and Laboratory Divisions were telephonically advised of the contact with [redacted] late on 5-22-75 and the Intelligence Division arranged that date to provide a set of the photographs to CIA.

RECOMMENDATION:

For information.

Buzz JH

PCM

JPA

94TH CONGRESS
1ST SESSION

H. RES. 456

IN THE HOUSE OF REPRESENTATIVES

MAY 12, 1975

Mr. GONZALEZ (for himself, Mr. MITCHELL of Maryland, Mr. MOFFETT, Mr. MURPHY of New York, Mr. NEAL, Mr. OTTINGER, Mr. PRESSLER, Mr. ROSENTHAL, Mr. ROYBAL, Mr. STOKES, Mr. THONGAS, Mr. CHARLES H. WILSON of California, Mr. WON PAT, and Mr. YOUNG of Georgia) submitted the following resolution; which was referred to the Committeee on Rules

RESOLUTION

Resolved, That there is hereby created a select committee to be composed of seven Members of the House of Representatives to be appointed by the Speaker, one of whom he shall designate as chairman. Any vacancy occurring in the membership of the committee shall be filled in the manner in which the original appointment was made.

The committee is authorized and directed to conduct a full and complete investigation and study of the circumstances surrounding the deaths of John F. Kennedy, Robert F. Kennedy, and Martin Luther King, and the attempted assassination of George Wallace.

ST-117
REC 68
NOT RECORDED
5 MAY 21 1975

94TH CONGRESS
1ST SESSION

H. RES. 456

RESOLUTION

Creating a select committee to conduct an investigation and study of the circumstances surrounding the deaths of John F. Kennedy, Robert F. Kennedy, and Martin Luther King, and the attempted assassination of George Wallace.

By Mr. GONZALEZ, Mr. MITCHELL of Maryland, Mr. MOFFETT, Mr. MURPHY of New York, Mr. NEAL, Mr. OTTINGER, Mr. PRESSLER, Mr. ROSENTHAL, Mr. ROYBAL, Mr. STOKES, Mr. TSONGAS, Mr. CHARLES H. WILSON of California, Mr. WON PAT, and Mr. YOUNG of Georgia

MAY 12, 1975
Referred to the Committee on Rules

JULY 1973 EDITION
GSA FPMR (41 CFR) 101-11.6

UNITED STATES GOVERNMENT

Memorandum

TO : Director, FBI

DATE: 5/29/75

FROM : SAC, New Orleans (89-69)

SUBJECT: ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY,
DALLAS, TEXAS
11/22/63
MISCELLANEOUS - INFO CONCERNING
OO: Dallas

The television program Sixty Minutes is still endeavoring to locate various persons who were previously in the New Orleans area and query them in an apparent attempt to slant a story to the effect that LEE HARVEY OSWALD was a CIA agent, according to former SA REGIS L. KENNEDY, who was contacted by a representative of Sixty Minutes. The representative was looking for a Mr. BURK and a Mr. LEAKE, formerly of CIA.

2 - Bureau
1 - Dallas (Info)
1 - New Orleans
JTS:sam
(4)

ST-105

REC-14 7195

6 JUN 2 1975

RESEARCH SECTION

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

FBI

Date: 5/29/75

Transmit the following in _____ (Type in plaintext or code)

Via AIRTEL AIR MAIL (Priority)

TO: DIRECTOR, FBI (62-109060)

FROM: SAC, LOS ANGELES (89-75) (RUC)

SUBJECT: ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY
11/22/63
DALLAS, TEXAS

Re Bureau airtel to Buffalo dated 5/19/75.

The Los Angeles files contain no information identifiable with RICHARD MONROE MARGESON, RUDY HERNANDEZ, or "SLIM."

A review of the Los Angeles files reveals that RICHARD MONROE MARGESON is referring to LAWRENCE JOHN HOWARD, JR., who was interviewed in 1964. HOWARD freely admitted he trained with anti-Castro guerrillas in Florida, and he denied knowing LEE HARVEY OSWALD (who was pro-Castro).

The Los Angeles files indicated that OSWALD was in California when he was in the United States Marine Corps; however, this was prior to 1960 and prior to his defection to the Soviet Union. Upon OSWALD's return to the United States from Russia there is no indication he was in California or ever in Los Angeles in the company of LAWRENCE JOHN HOWARD, JR.

ST-105 REC-14 62-109060-7196

22 JUN 2 1975

(2) - Bureau
2 - Buffalo (62-1827)
2 - Dallas (89-43)
2 - New Orleans (89-69)
1 - Los Angeles

LSH/rsp
(9)

Approved: 14 JUN 12 1975 Sent _____ M Per _____
Special Agent in Charge

U.S.Government Printing Office: 1972 — 455-574

FBI

Date: 5/28/75

Transmit the following in _____ (Type in plaintext or code)

Via AIRTEL _____ (Priority)

TO: DIRECTOR, FBI (62-109060)

ATTENTION: MR. WILLIAM NETTLES

CRIMINAL SECTION

GENERAL INVESTIGATIVE DIVISION

FROM: SAC, DALLAS (89-43)

SUBJECT: ASSASSINATION OF JOHN FITZGERALD KENNEDY
DALLAS, TEXAS
11/22/63
MISCELLANEOUS - INFORMATION CONCERNING

OO-DALLAS

LX 103

REC-19 62-109060-7197

Re my telephone call, 5/22/75, regarding item appearing in the Dallas Times Herald, entitled "FBI Eyes On Ruby Strippers In JFK Case", on 5/22/75. There is enclosed herewith the original of referenced article. It is noted that this article indicates that former stripper, SHARI ANGEL, was interviewed by the FBI in Los Angeles on Monday, presumably Monday, 5/19/75, on a wide range of topics. After seeing the article, I contacted the External Affairs Division of the Bureau, the Investigation Division, and was assured that no such interview had been conducted to their knowledge. I also contacted the Los Angeles Office and they had no record of any such interview. After talking again to the External Affairs Division, it was decided that I would contact the publisher of the Dallas Times Herald and definitely inform him this interview was not conducted by the FBI. It was noted that this was necessary as I was being called by other newspapers, radio and TV stations to verify our making this interview. It is also noted the same article quotes me in detail concerning Washington photographic

1-T

3-Bureau (Enc. 2) ENCLOSURE

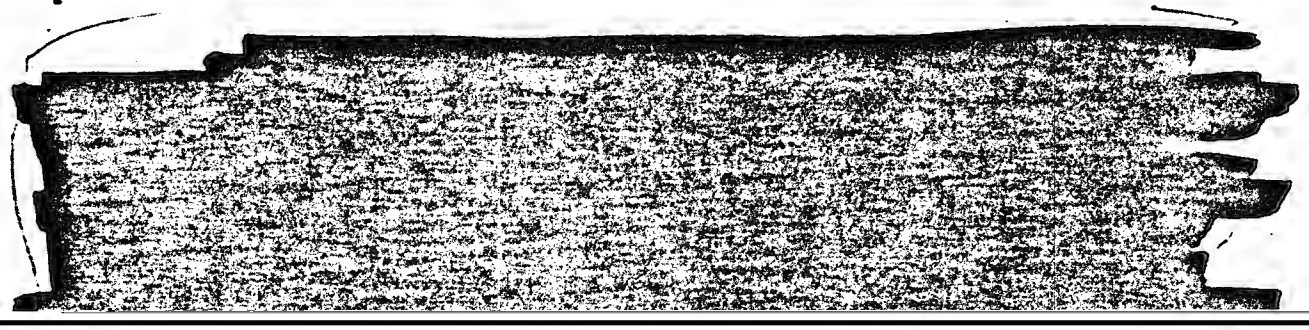
2-Dallas

Approved: _____ Sent _____ M Per _____

Special Agent in Charge

U. S. GOVERNMENT PRINTING OFFICE : 1969 O - 348-000 (11)

expert being in the Dallas Division, conducting certain type of investigation. I personally never talked to SLOAN, I never made any such statements. It is noted, however, approximately two weeks before this, SA LYNDAL L. SHANEYFELT, of the FBI Laboratory, was in Dallas, and made certain photographic investigations which necessitated contacting both the Dallas Times Herald, and the Dallas Morning News. His presence did become known and after again checking with the Bureau, I advised that we were conducting certain inquiries at the request of the Rockefeller Commission and that any details concerning that could be secured from the Rockefeller Commission, in Washington, D. C. In my contact with MR. TOM JOHNSON, the publisher of the Dallas Times Herald, I definitely pointed out to him that this story was incorrect, the FBI had not interviewed ANGEL in Los Angeles or Dallas in the recent past, that I had not been contacted by SLOAN, and the quotes attributed to me were in error. MR. JOHNSON assured me that he would look into the matter and would have some retraction printed.



MR. TOM JOHNSON called me again this date and stated that it would appear that their reporter SLOAN had been definitely "taken" by MISS ANGEL. He stated that apparently SLOAN had contacted her after hearing through some source that he does not recall, that she may have been contacted and she gave him this original story, and that she had also insisted that her former husband was present at the time of the interview, which as he noted was definitely incorrect, as he is currently in Florida and has had no contact with her.

OBSERVATION

I do not believe it would be advisable to try to locate ANGEL to try to interview her as a possible victim of impersonation as I do not think anybody has interviewed her. It is noted she denied anybody showing her any credentials or identification.

RECOMMENDATION

No further action.

FBI eyes on Ruby strippers in JFK case

DALLAS' Only BURLESQUE LOUNGE

WITH A

CONTINUOUS GIRL & COMEDY SHOW

NON-STOP 9:00 P.M. 'TIL 2:00 A.M.

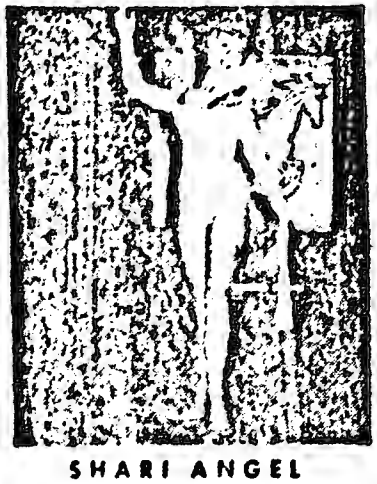


STARRING

WALLY WESTON

50-MILE HIKE WINNER

Hear Wally's Candid Comments on Wacky Walk



SHARI ANGEL

Dallas Own Gypsy — See her fan-tease Shari doing her rendition of dances from the great movie "Gypsy" with exclusive gowns — and exciting music.

ALSO

BURNY LANE

KATHY KAY — TAWNY ANGEL

FRIDAY: LADIES FREE

SATURDAY: AUDITIONS FOR AMATEUR EXOTICS

The NEW CAROUSEL

DALLAS' NEWEST AND MOST INTIMATE BURLESQUE LOUNGE

NOTICE: SOUTHWEST'S ONLY RUNWAY STAGE SHOW BAR — OFFERING MANY MORE RINGSIDE SEATS THAN ANY OTHER CLUB WITH BEER AND SETUP SERVICE

RI 7-2362 FOR RESERVATIONS

1312½ Commerce at Corner of Field

Across from Adolphus Hotel

62-109060

Nightclub ad listed Miss Angel, Kathy Kay

ENCLOSURE

(Indicate page, name of newspaper, city and state.)

The Dallas Times Herald

Page B

Date: 5-22-65

Edition:

Author: JOHNSON

Editor: Kenneth P. Johnson

Title:

Character:

or

Classification:

Submitting Office: Dallas

☐ Being Investigated

7197

By BILL SLOAN
Staff Writer

A former strip-tease dancer, believed to be the last person to talk with Jack Ruby before his death, has been quizzed by FBI agents and a second stripper from Ruby's old Carousel Club is being sought for questioning, The Times Herald learned Wednesday.

The development comes close on the heels of questioning by federal agents of several Dallas police officers and amid growing hints of a large-scale new FBI investigation into the assassination of President John Kennedy.

The first of the two strippers, now a 42-year-old suburban grandmother, was a featured performer at Ruby's nightclub for three years, appearing under the professional stage name Shari Angel.

Miss Angel told The Times Herald she was interviewed by the FBI Monday in Los Angeles on a wide range of topics, including allegations that Lee Harvey Oswald, the accused assassin of President Kennedy, had visited the Carousel Club on two occasions shortly before the assassination.

The other stripper was identified as Kathy Kay. Miss Kay reportedly told her Carousel co-workers that she had seen —and had, in fact, danced with— Oswald at the club a few days prior to Kennedy's death.

She reportedly left Dallas abruptly on Nov. 24, 1963, the same day Ruby shot Oswald to death in the basement of the Dallas police station, and her present whereabouts are unknown.

According to Miss Angel, the British-born Miss Kay was not a U.S. citizen and may have feared she would be deported if investigators discovered she was in the country illegally.

Five former Ruby employes, including Karen "Little Lynn" Carlin, another featured Carousel stripper, have met violent deaths since the assassination.

Miss Angel herself, who lives under another name in a suburb west of Dallas, said she had gone into hiding for several months immediately after the Oswald slaying and is still fearful of possible reprisals.

She denies personally having seen Oswald at the nightclub.

In addition to efforts to establish— or disprove—a link between Ruby and Oswald, FBI agents also asked the former dancer about her final conversation with Ruby just three days before his death on Jan. 3, 1967.

Ruby told her at that time, she said, that he believed he was being injected with doses of deadly poison.

"He said, 'They're giving me shots of something to kill me. They're trying to kill off all the Jews,'" Miss An(g)el recalled.

He also urged her to leave the nightclub where she had gone after leaving the Carousel and to take a job as a cashier in a dress shop, she said.

Miss Angel said she was asked to visit Ruby at Parkland Hospital by Sheriff Bill Decker in an effort to "calm him down." She was accompanied to Ruby's room by Decker, Deputy Sheriff Buddy Walthers and another deputy whose name she did not remember.

Decker died of natural causes in 1970 and Walthers was killed while attempting to arrest a suspect at an East Dallas motel in 1969.

Miss Angel said she thought Ruby looked "remarkably healthy" for a man who was supposedly dying of cancer.

"He seemed all right physically, but he acted crazy, out of his head," she said. "He kept begging me not to k him."

Her talk with FBI agents this w was the first contact she had had v the agency since the Warren Comm sion investigation, Miss Angel said.

J. Gordon Shanklin, special agent charge of the Dallas FBI offi meanwhile confirmed that a Washi ton photographic expert and an ag from the local office had interview several Dallas police officers who w on the scene at Dealey Plaza when t President was ambushed.

Shanklin said the policemen we shown photos of three "tramps" a rested on a nearby railroad trac minutes after the assassination, in effort to determine the identity of th three, all of whom were quickl released at the time.

Some sources have alleged that th three tramps bore a striking resem blance to persons involved in th Watergate conspiracy, Shanklin said.

Although he said no further ques tioning of local individuals involved i the assassination and its aftermath i pending "as far as we know," Shanklin did not rule out the possibility of a full-scale investigation.

"The Rockefeller Commission asked us to assist in this (the questioning of the police officers)," he said. "If they reopen the investigation, I don't know who they'll have do it."

"As far as our office is concerned, there's nothing further planned now, but that could change overnight."



Stripper Shari Angel . . .
. . . interviewed by FBI

Stripper complained to ex-spouse about FBI

By BILL SLOAN
Staff Writer

The ex-husband of a one-time Jack Ruby stripper who claims she was questioned last Monday by federal agents, says his former wife called him a week ago complaining she was being harrassed by the FBI.

But the ex-husband, professional comedian Wally Weston, denied being present during the Monday questioning, which allegedly took place in Los Angeles.

The stripper, Shari Angel, earlier had told The Times Herald that Weston also had been quizzed by the agents and that he had been with her during the Los Angeles interview.

The FBI has strongly denied that any such interview took place.

Weston, contacted in Florida where he is playing a night-club engagement, quoted Miss Angel as telling him on May 16:

"They (the agents) are about to drive me crazy with these questions. Have they gotten to you yet?"

Miss Angel maintained late Friday that the men she spoke to in Los Angeles definitely represented themselves as FBI agents, although she said they showed her no credentials.

Weston said Miss Angel told him at the time that the FBI was talking to her in reference to possible visits by Lee Harvey Oswald, the accused assassin of President John F. Kennedy, to Ruby's Carousel Club shortly before the assassination.

Two days after Kennedy's death, Ruby killed Oswald in the basement of the Dallas police station.

Miss Angel is believed to be the last person to talk with Ruby before he died of cancer on Jan. 3, 1967.

Weston, who was a featured performer at the Carousel Club along with Miss Angel, characterized himself as a close friend of Ruby's.

In the days immediately following Oswald's death, both Weston and Miss Angel were questioned by FBI agents, once at the nightclub and once at their apartment.

But Weston said he had had no further contact with the FBI since then.

He said he had not seen Miss Angel since shortly after they were divorced in 1964, although he had spoken to her on the phone "three or four times" during that period.

FBI officials have denied a report in the Times Herald that their agency is participating in a new investigation into the Kennedy assassination.

J Gordon Shanklin, special agent in charge of the Dallas FBI office, said Miss Angel had not been interviewed at any time recently.

"I don't have any record of her being interviewed," Shanklin said. "And I checked with Los Angeles and Washington and they didn't interview her either."

12-16 [illegible]

[illegible]

[illegible] Dallas Times
[illegible] Texas

Page 8

Date: 5-25-25
Edition:
Author: JOHNSON
Editor: Kenneth [illegible]
Title:

Character:
or
Classification:
Submitting Office: Dallas

[ ] Being Investigated

117

FBI

Date: 6/6/75

Transmit the following in _____ (Type in plaintext or code)

Via AIRTEL _____ (Priority)

Dep. A.D.-Adm.
Dep. A.D.-Inv.
Asst. Dir.:
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Plan. & Eval.
Spec. Inv.
Training
Legal Coun.
Telephone Rm.
Director Sec'y

TO: DIRECTOR, FBI (62-109060)

FROM: SAC, KANSAS CITY (62-8156) P

ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY, 11/22/63,
DALLAS, TEXAS
MISCELANEOUS INFORMATION CONCERNING
OO DL

Re Kansas City airtel to Bureau 5/15/75.

On 6/6/75 SA JAMES P. HOSTY, JR. was telephonically contacted at the Kansas City Office by MARTIN RALBOVSKY, who stated he was a reporter with the Houston, Texas "Chronicle". RALBOVSKY stated he was reviewing a book entitled "Assassination Tapes" by O'TOOLE and wished to get the comments of SA HOSTY. He was directed to the FBIHQ External Affairs Division in Washington, D.C. for any comment.

In view of the fact that the main allegation against SA HOSTY in this book is based upon what is now an admitted hoax by Houston, Texas "Post" reporter LONNIE HUDKINS and former Assistant District Attorney WILLIAM ALEXANDER, the Bureau may care to comment in this matter.

REC-59 62-109060-7198

Above is being furnished for information of Bureau and Dallas. Any additional inquiries to SA HOSTY will be promptly reported.

1 JUN 10 1975

2 Bureau
2 Dallas (89-43)
2 Kansas City
JPH:jh
(6)

31 JUN 1975

FBI/DOJ RECEIVED

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

U.S.Government Printing Office: 1972 — 455-574

The Attorney General

June 17, 1975

Director, FBI

1 - Mr. Adams
1 - Mr. Gebhardt
1 - Mr. Cooke
1 - Mr. Nettles
1 - Mr. Wannall

ASSASSINATION OF PRESIDENT
JOHN F. KENNEDY

Reference is made to memorandum of June 11, 1975, from Mr. John J. Buckley, Jr., Special Assistant to the Attorney General to Mr. James B. Adams, Assistant to the Director - Deputy Associate Director of the FBI concerning telephone calls received by Mr. Buckley from Professor Richard H. Popkin.

On June 12, 1975, prior to receipt of the June 11, 1975, memorandum, a letter was sent to the Attorney General from the Director, FBI, setting forth pertinent information in this matter.

For your information, file number 91118914, as furnished to Mr. Buckley by Professor Popkin, is not a valid FBI file number.

REC-6 -7199

1 - The Deputy Attorney General

1 - Assistant Attorney General
Criminal Division

5 JUN 18 1975

WEN:mkc (10)

ENCLOSURE

See Note Page 2 . . . .

MAILED 7
JUN 18 1975
FBI

Assoc. Dir. ____
Dep. AD Adm. ____
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Director Sec'y ____

MAIL ROOM ☐ TELETYPE UNIT ☐

JUN 18 1975

GPO : 1975 O - 569-920

The Attorney General

7

NOTE:

This pertains to telephone information received by Mr. Adams from Mr. Buckley on 6/6/75, to the effect that Mr. Buckley had been telephonically contacted by a Professor Richard Popkin. Popkin told Buckley he had been approached by ~~an ex-CIA~~ Agent by the name of Richard C. Nagell who claimed to have written the FBI in September, 1963, warning that Lee Harvey Oswald was going to kill President Kennedy. Bureau files were searched and no record was found of such a letter. Nagell was never associated with the CIA, but years ago was in the U. S. Army Counterintelligence Corps. He has a long history of mental instability. Nagell was convicted in Federal court for a bank robbery violation in 1963. Over the years he has contacted several FBI Offices with allegations of civil rights violations and intelligence activities. The alleged September, 1963, letter to the FBI was first checked in 1964, with negative results. Nagell has made other claims regarding his connections with Oswald which have been discounted. It is interesting to note that an article in a 1968 edition of the "New Yorker" magazine stated that Nagell had been brought to the attention of then New Orleans, La., District Attorney Jim Garrison, in relation to Garrison's investigation of the assassination of President Kennedy. Information extracted from Bureau files was furnished to the Attorney General by letter of June 12, 1975. Buckley's memorandum of June 11, 1975, states that Popkin continues to contact him and has said that the file number of the letter to the FBI is 91118914. This letter to the Attorney General advises that pertinent information was furnished to the Attorney General by letter of June 12, 1975, and advises that 91118914 is not a valid FBI file number. Appropriate 91 classification files were checked with negative results.

UNITED STATES GOVERNMENT

Memorandum

TO : James B. Adams
Assistant to the Director, FBI

DATE: June 11, 1975

FROM : John J. Buckley, Jr.
Special Assistant to the Attorney General

SUBJECT:

As I told you in our conversation the other day, I received a phone call from Professor Popkin, allegedly a philosophy professor at Washington University, who stated that he had certain information concerning President Kennedy's assassination. In brief, Popkin stated that a former CIA agent had written to Director Hoover on September 19 or 20, 1963 warning in advance that Oswald would attempt to assassinate the President, but that this warning was supposedly disregarded.

Popkin states that he has been in contact with the agent, who has used the names of Richard Nagel, Joseph Kramer and Robert Nolan.

After our conversation, I received another call from Popkin, who stated that the file number of the Hoover letter is 91118914. I told him I would undertake to determine whether such a letter existed.

I have since received several phone calls from him, and I have informed him that the matter is under investigation. I would be most appreciative if you would keep me informed of any developments. I suspect Popkin will keep calling me until I tell him something definitive.

5010-110

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

MORRIS K. UDALL
2D DISTRICT OF ARIZONA

INTERIOR AND INSULAR AFFAIRS
POST OFFICE AND CIVIL SERVICE

Congress of the United States
House of Representatives
Washington, D.C. 20515

May 13, 1975

Mr. Clarence M. Kelley
Director
FBI
Department of Justice
Washington, D C 20530

Dear Mr. Kelley:

Agitation for reopening of the Warren Commission investigation into the assassination of John F. Kennedy continues to be strong.

I recently asked the Attorney General's office if there is anyone in the Department specifically designated to receive inquiries or alleged "evidence" in the case. The response from John C. Keeney is enclosed.

Perhaps some of the agitation for reopening the case stems from a belief that there is in reality no one in the federal government who routinely reviews purported evidence developed by private individuals and organizations continuing to look into the assassination.

Mr, Keeney says the FBI "had reviewed all the evidence which is being currently discussed and has no intention of reopening the investigation." I am not aware of such a statement by the FBI. It was reported in February that Mr. Keeney, in a Dallas press conference, said the Bureau carefully examined a widely-circulated photo and found it was not E. Howard Hunt. But that would hardly constitute a review of "all the evidence".

You'll note that Mr. Keeney invites anyone having materials on the assassination to present it to the Bureau but then says the FBI has no intention of reopening the investigation.

EXP-PROC. 1
MAY 15 1975

REC-89 62 [illegible] 7200

3 MAY 15 1975

SIX

THIS STATIONERY PRINTED ON PAPER MADE WITH RECYCLED FIBERS

Mr. Clarence M. Kelley May 13, 1975

I don't want to make a hassle about this issue but I do need some clarification as to whether or not the FBI does or would examine any new studies, etc., presented to it.

Thanks.

Sincerely,

Morris K. Udall
(D-Arizona)

lmb
enclosure

Assistant Attorney General
Criminal Division

Department of Justice
Washington 20530

April 21, 1975

Honorable Morris K. Udall
House of Representatives
Washington, D. C. 20515

Dear Congressman:

Your letter to Attorney General Levi asking whether the Department has designated anyone to receive material or to review the evidence about the assassination of the late President John F. Kennedy has been referred to me.

No one in the Department has been specifically designated for this activity. Of course, anyone having materials or evidence about this assassination can present it to the Federal Bureau of Investigation.

As you probably know, it has been publicly reported that Federal Bureau of Investigation Director Clarence Kelley stated that the Bureau had reviewed all the evidence which is being currently discussed and has no intention of reopening the investigation. The Warren Commission findings were confirmed.

I hope that this information will be of assistance to you.

Sincerely,

John C. Keeney

JOHN C. KEENEY
Acting Assistant Attorney General

1060 7200

ENCLOSURE

LX-103

REC-89

62-116760 2200

May 21, 1975

1 - Mr. Gebhardt
1 - Mr. O'Connell
1 - Mr. Nettles
1 - Mr. Mintz
1 - Mr. Moore
1 - Mr. Wannall

Honorable Morris K. Udall
House of Representatives
Washington, D. C. 20515

Dear Congressman Udall:

I have received your letter of May 13, 1975, concerning the assassination of President John F. Kennedy.

May I assure you that the FBI continually reviews new information in this case. Follow-up inquiries are made when warranted. Thus far, there have been no developments which would necessitate the reopening of a full investigation.

I trust this information will clarify the handling of this case for you.

Sincerely yours,

C. M. Kelley

Clarence M. Kelley
Director

MAILED 6
MAY 23 1975
FBI

1 - Assistant Attorney General
Criminal Division (Enclosure)

WEN:sls
(10)

SEE NOTE PAGE 2.

Assoc. Dir. ____
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Director Sec'y ____

57 JUN 24 1975

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Honorable Morris K. Udall

NOTE: By letter dated 5/13/75, to the Director, Congressman Morris K. Udall questions the handling of new allegations regarding the assassination of President John F. Kennedy. He makes reference to a letter of 4/21/75, to him from Acting Assistant Attorney General John C. Keeney, which he enclosed. He states that Mr. Keeney invites anyone having materials on the assassination to present it to the FBI, but he points out that Mr. Keeney in his letter makes mention that the FBI has no intention of reopening the investigation. The Congressman ends his letter by saying he does not want to make a hassle, but needs clarification as to whether or not the FBI does or would examine any new study. This letter to the Congressman advises him that the FBI continually reviews new information in this case and conducts follow-up inquiries when warranted, but there have been no developments which would necessitate the reopening of a full investigation. Copy of the Congressman's letter and the Director's reply are being furnished to the Assistant Attorney General, Criminal Division, for his information.

June 4, 1975

Mr. Paul Crosswhite
Feature Editor
KNX/FM
6121 Sunset Boulevard
Los Angeles, California 90028

Dear Mr. Crosswhite:

Reference is made to your letters dated May 7, and 8, 1975.

Enclosed herewith are copies of neutron activation material consisting of results and data, and spectographic material consisting of worksheets and related notes.

The neutron activation material is marked as Item A in the enclosures. Item B contains five worksheets and related notes.

These are the same 73 pages released to Mr. Harold Weisberg and two other Freedom of Information Act requesters. There will be a charge of $7.30 for duplication costs and a check or money order in this amount payable to the Federal Bureau of Investigation should be forwarded.

Sincerely yours,

C. M. Kelley

Clarence M. Kelley
Director

MAILED 7
JUN 4 1975
FBI

Enclosures (7)

ENCLOSURE

1 - The Deputy Attorney General - Enclosures 2
Attention: Susan M. Hauser

plb:dm (5)

Assoc. Dir. ____
Dep. AD Adm. ____
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Dear Mr. Kelly,

May 7, 1975

Under the Freedom of Information Act, I would like to request that the Bureau send to me, the reports and analyses concerning the Neutron Activation Analysis tests which were conducted on bullets and fragments involved in the November 22, 1963 shooting of President John Kennedy, and then-Texas Governor John Conally.

Please send me all information on that subject which can be released in accordance with the amended Freedom of Information Act.

Very truly yours,

Paul Crosswhite

Paul Crosswhite
Feature Editor
KNX/FM

Mr. Clarence Kelly
Director, Federal Bureau of Investigation
Washington, D.C.

103

REC-59

MAY 12 1975

FBI

57 JUN 25 1975

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A Division of CBS, Inc.
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(213) 469-1212

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Dear Mr. Kelly, May 8, 1975

I am writing to request copies of information, already made public, concerning the Spectrographic Chemical Analysis tests conducted on bullets and fragments involved in the November 22, 1963 shooting of President Kennedy and John Conally.

This information has been made available to Mr. Harold Weisberg, an independent researcher. He obtained it under the Freedom of Information Act. Upon requesting same from FBI Press Agent Tom Harrington on 5-7-75, I was told to request it in writing (my conversation with Mr. Harrington having been via long-distance telephone).

This request is made independent of another from my office, dated May 7, 1975. That request concerns the Neutron Activation tests made of the same bullets, and is made under the Freedom of Information Act.

It is my understanding after talking with Mr. Harrington, that since the Spectrographic Chemical Analysis test has been released to Mr. Weisberg under that Act, it is not necessary to cite the Act again in writing for copies.

Should there be any difficulties in this request concerning the Spectrographic tests, please let me know. If indeed it is necessary to cite the Freedom of Information Act to obtain the material, I hereby do so.

Very truly yours,

Paul Crosswhite

Paul Crosswhite
Feature Editor
KNX/FM

REC-59

16 MAY 12 1975

Mr. Clarence Kelly, Director
Federal Bureau of Investigation
Washington, D.C.

EX-103

67JUN 25 1975

FBI

Date: 6/6/75

Transmit the following in _____ (Type in plaintext or code)

Via AIRTEL AIRMAIL (Priority)

TO: DIRECTOR, FBI (62-109060)

FROM: SAC, NEW ORLEANS (89-69) (C)

ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY
NOVEMBER 22, 1963
DALLAS, TEXAS
MISCELLANEOUS INFORMATION CONCERNING
OO: DALLAS

Re Bureau airtel to Buffalo, Dallas, Los Angeles, and New Orleans dated 5/19/75, containing information obtained from RICHARD MONROE MARGESON.

A review of New Orleans file in this matter reveals that LEE HARVEY OSWALD, his wife, and daughter returned from Russia to Fort Worth, Texas, on 6/14/62. The file shows that OSWALD was interviewed by Agents of the FBI in June and August, 1962, and was employed by Jaggers-Chiles-Stovall, Inc., Dallas, Texas, 10/12/62 to 4/6/63. In May, 1963, they moved to New Orleans, where they remained until 9/25/63, at which time they returned to the Dallas area.

No information has been received that LEE HARVEY OSWALD was in Los Angeles, Calif., in the company of LAWRENCE JOHN HOWARD, JR., in late 1962 or early 1963.

2- Bureau
1 - Buffalo (62-1827) (Info)
1 - Dallas (89-43)
1 - Los Angeles (105-15823) (Info)
2 - New Orleans
ECW:pd
(7)

EX-105 REC-59 7204

JUN 9 1975

Approved: 4JUN26 Sent _____ M Per _____
Special Agent in Charge

U. S. GOVERNMENT PRINTING OFFICE : 1960 O - 546-000 (11)

NO 89-69
ECW:pd

New Orleans' indices contain no information concerning MARGESON, RUDY HERNANDEZ, and "SLIM."

It is the recommendation of this office that the Bureau may desire the Buffalo Office to interview MARGESON to obtain and evaluate the information reportedly in his possession.

// Buffalo advised by Bureau airtel 6/13 to interview Margeson. Hm

FBI

Date: 6/3/75

Transmit the following in _____ (Type in plaintext or code)

Via AIRTEL _____ (Priority)

TO: DIRECTOR, FBI (62-109060)

FROM: SAC, DALLAS (89-43) (P)

SUBJECT: ASSASSINATION OF JOHN FITZGERALD KENNEDY
DALLAS, TEXAS
11/22/63
MISCELLANEOUS-INFORMATION CONCERNING

OO: DALLAS

Re Buairtel to Buffalo, Dallas, Los Angeles, and New Orleans 5/19(?)/75, containing information pertaining to RICHARD MONROE MARGESON.

Dallas indices contain no information concerning MARGESON, RUDY HERNANDEZ and "Slim".

It is the observation of the Dallas Office that it is not likely LEE HARVEY OSWALD could have been in Los Angeles, California in the company of LAWRENCE JOHN HOWARD, JR., in late 1962 or early 1963.

It is suggested the Bureau may desire to have the Buffalo Office interview MARGESON in order that the Agents conducting such interview can evaluate his information and his conduct during interview.

REC-63 62-109060-7205
EX-105

7 JUN 5 1975

2-Bureau
1-Buffalo (62-1827) (Info)
1-Los Angeles (105-15823) (Info)
1-New Orleans (89-69) (Info)
2-Dallas
RPG:ako
(7)

FIVE FEE

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

U. S. GOVERNMENT PRINTING OFFICE : 1969 O - 346-000 (11)

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. J. B. Adams

DATE: 6/3/75

FROM : Legal Counsel

SUBJECT: PRESIDENT JOHN F. KENNEDY
ASSASSINATION

On 6/3/75, Robert Saloschin of the Department's Office of Legal Counsel contacted Deputy Assistant Director Herington and said he had been requested by Mr. Marion Johnson of Archives to determine whether a document relating to the assassination matter could be released to the public. Mr. Saloschin and Mr. Johnson subsequently came to our office and exhibited the document to Herington. It was a one and one-half page letter written by former Department of Defense General John T. McNaughton (dec.) to Attorney General Katzenbach. Katzenbach had apparently made available to McNaughton an FBI report for his informal review and had requested his advice. The letter contains a number of criticisms with regard to style and content based mainly on McNaughton's view that some details shouldbe pinned down more specifically with regard to the number of shots fired and which bullets struck which individuals. He also objected to some "conclusions" such as statements relating to the "window from where the shots were fired" which he felt indicated that the investigators had already made up their minds as to the facts.

The letter concluded with a paragraph indicating that there was no intention whatsoever of criticizing the FBI and stating that the FBI had done a remarkable job in pulling together so much material in such a short period of time.

Mr. Johnson stated that although the report was not identified in the letter, it was one of the FBI reports which has been made public by the Warren Commission.

Saloschin wanted to know whether the FBI would interpose any objection to release of this letter and was told that since the letter was

REC-7 7206

5 JUN 1 1975

1 - Mr. Wannall
1 - Mr. Gebhardt
1 - Mr. Mintz
1 - Mr. Herington
JH:mtm
(5)

(CONTINUED - OVER)

LEGAL COUNSEL

neither written by nor directed to the FBI, it did not appear that we had any basis to object. Since the letter was directed to the Attorney General of the time, Saloschin was advised that this was a Department decision. Saloschin indicated that he felt that the letter contained nothing which should be hidden, that it was subject to discovery under the FOI Act and he would recommend its release if a request is made for it.

OBSERVATION:

Although the letter does contain some criticism, its concluding paragraph is highly commendatory. In fact, the concluding paragraph could explain the reason for any shortcomings McNaughton saw in the report. Essentially, McNaughton's letter indicated the report as a historical document could have been much more precise and resolved some unanswered questions. On the other hand, he recognized the report as a compilation of information derived through a massive investigation during a very short time period which did not allow for leisurely editing.

RECOMMEDATION:

For information.

MGMWSHT HSA
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9138317000 MGM TDBN KANSAS CITY KS 100 04-07 1053P EST
ZIP

western union Mailgram

UNITED U.S. MAIL

CLARENCE KELLY
DIRECTOR FEDERAL BUREAU INVESTIGATION
WASHINGTON DC 20530

REGARDING YOUR TELEPHONE REQUEST FOR 5 EXTRA DAYS IN MY APPEAL FOR RA DATA AND DERIVED RESULTS OF SPECTROGRAPHIC AND NEUTRON ACTIVATION ANALYSIS OF ARTIFACTS OF PRESIDENT KENNEDY ASSASINATION PROVIDE ME NO WITH DUPLICATE OF ALL SIMILAR DATA ALREADY PROVIDED TO HAROLD WEISBER AND OTHERS. SEND DATA BY PHOTOWIRE TO LOCAL FBI OFFICE FOR HAND DELIVERY TO ME

JOHN NICHOLS MD
UNIVERSITY KANSAS MEDICAL CENTER
KANSAS CITY KANSAS 66103

22153 EST

MGMWSHT HSA

REC-20

APR 9 1976

EX-102

31 APR 1976

11 LEGAL COUNSEL

F-

51 JUL 03 1975

MAR 19 1975

Dr. John Nichols
School of Medicine
College of Health Sciences
and Hospital
The University of Kansas
Medical Center
Rainbow Boulevard at 39th
Kansas City, Kansas 66103

Dear Dr. Nichols:

This letter is to advise you that your administrative appeal to the Attorney General from the denial by Clarence M. Kelley, Director, Federal Bureau of Investigation, of your request under the Freedom of Information Act for information from the files of the Department of Justice relating to the assassination of the late President John F. Kennedy was received by this unit on March 11, 1975.

As required by the provisions of Title 5, United States Code, Section 552(a)(6)(A)(ii), you will be advised of the action on your appeal by the Attorney General in a further communication to be dispatched not later than April 8, 1975, unless a delay authorized by Section 552(a)(6)(B) is required, in which event you will be notifed of the fact of the delay and the new date by which the response will be forthcoming.

Sincerely,

QUINLAN J. SHEA, Jr., Chief
Freedom of Information Appeals Unit

cc: Shea
Hauser
McCreight
Appeal File

REC-20

17 JUN 21 1975

F-485

66 JUL 03 1975

F.O.I.A.

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Wiggins

DATE: March 13, 1975

1-Office, 7133
1-Mr. Kilty
1-Mr. Cunningham

FROM : M. E. Williams

Assoc. Dir. ____
Dep. AD Adm. ____
Dep. AD Inv. ____
Asst. Dir.:
Admin. ____
Comp. Syst. ____
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Spec. Inv. ____
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Legal Coun. ____
Telephone Rm. ____
Director Sec'y ____

SUBJECT: FREEDOM OF INFORMATION REQUEST OF JOHN NICHOLS, M.D. REGARDING JOHN F. KENNEDY ASSASSINATION DOCUMENTS

Reference is made to Legal Counsel to J. B. Adams' memorandum of February 26, 1975, wherein the Laboratory was asked to review Nichols' requests in his letter received February 21, 1975, and in his telegram of February 19, 1975, and comment on the availability of the material.

Item No. 1

His first item requests the "raw data" and "derived results" of neutron activation analysis (NAA) and/or spectrographic examinations conducted on the following specimens and any other specimens so examined:

Description of Specimens

Commission Exhibit Number	Laboratory Number	Description
CE 399	Q1	Bullet from Stretcher
CE 567	Q2	Bullet fragment from front seat cushion
CE 569	Q3	Bullet fragment from beside front seat, right side
CE 843	Q4, Q5	Metal fragments from President's head
CE 842	Q9	Metal fragment from arm of Governor John Connolly

EX-101

REC-20

62-115530

JWK:fdb(6)
1 - Mr. Bresson
1 - Mr. Mintz

(CONTINUED-OVER)

DO JUL 08 1975

Memorandum to Mr. White
FREEDOM OF INFORMATION REQUEST OF
JOHN NICHOLS, M.D. REGARDING
JOHN F. KENNEDY ASSASSINATION DOCUMENTS
62-115530

CE 840	Q14	Three metal fragments recovered from rear floor board carpet
CE 573	Q188	Bullet from General Walker's residence

The response to this request is being limited to the specimens listed by Nichols and two copies of the "raw data" and "derived results" are attached for review. It should be noted that no NAA examinations were conducted on CE 569 and CE 573.

The attached notes and calculations may not be entirely responsive to Nichols' "raw data" request. The actual data printouts for NAA are available but are not being furnished because the numbers obtained from the data printouts were subjected to basic arithmetic operations the results of which are incorporated in the information furnished with this memorandum.

The Special Photographic Unit of the Laboratory is still involved in the reproduction of the spectrographic plates. These reproductions will be available by March 24, 1975.

Items No. 2 through 5

The answers to Nichols' second through fifth items were included in Bureau letter to Nichols dated March 7, 1975.

Request in telegram dated February 19, 1975

Except for small amounts of each specimen which were removed for spectrographic and/or NAA examinations, the specimens referred to were turned over to the National Archives and are in the custody of the Archivist. The amounts of material removed for preparation of the specimens for examination were not recorded nor were the remaining weights recorded.

The Laboratory is not in position to respond to Nichols' request for permission to conduct his own examinations of the referred to specimens.

ACTION: None. For information only.

UNITED STATES GOVERNMENT

Memorandum

Assoc. Dir. ____
Dep. AD Adm. ____
Dep. AD Inv. ____
Asst. Dir.:
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Legal Coun. ____
Telephone Rm. ____
Director Sec'y ____

TO : Mr. J. B. Adams

DATE: 2/26/75

FROM : Legal Counsel

SUBJECT: FREEDOM OF INFORMATION REQUEST OF JOHN NICHOLS, M.D., REGARDING JOHN F. KENNEDY ASSASSINATION DOCUMENTS

Attached to this memorandum is a copy of a letter containing a Freedom of Information Act (FOIA) request from John Nichols, M.D., received on 2/20/75. Also attached is a copy of a teletype containing an additional item to be included in his request. We have had considerable correspondence with Dr. Nichols in the past, the last being on 1/13/75, at which time he was advised we would process his request under the amended FOIA after its effective date if he so desired.

We have pending a similar request from Harold Weisberg with regard to neutron activation and spectrographic analysis data. Weisberg's request, which is now in the form of an appeal from earlier correspondence, is still in the hands of the Justice Department. Correspondence is being prepared by the Department to him which will in effect refer him back to us since the Department's position is his appeal was premature.

By memorandum from Mr. M. E. Williams to Mr. White dated 1/24/75, the Laboratory Division identified the data pertinent to the Weisberg request for the spectographic and neutron activation testing and advised concerning problems of reproduction and cast factors.

The Laboratory Division is requested to review the Nichols request and comment concerning each of the six items as to whether the answer is available, and if so, provide proper response and location of any documentation necessary.

Enc. 7

EX-101

REC-20

1 - Mr. White
1 - Mr. Mintz
1 - Mr. McCreight
1 - Mr. Bresson

THB:mfd
(5)

CONTINUED - OVER

58 JUL 8 1975 180

Memorandum to Mr. Adams
Re: Freedom of Information Request
of John Nichols, etc.

RECOMMENDATION:

That the Laboratory Division furnish Legal Counsel Division, FOIA Unit, the above requested information in order that a reply can be furnished to Dr. Nichols.

THE UNIVERSITY OF KANSAS MEDICAL CENTER
COLLEGE OF HEALTH SCIENCES AND HOSPITAL
RAINBOW BOULEVARD AT 39TH • KANSAS CITY, KANSAS 66103

SCHOOL OF MEDICINE
SCHOOL OF NURSING
SCHOOL OF ALLIED HEALTH
UNIVERSITY HOSPITAL

SCHOOL OF MEDICINE
DEPARTMENT OF PATHOLOGY AND ONCOLOGY
(913) 831-7070

Clarence M. Kelley, Esq., Director
Federal Bureau of Investigation
Washington, D. C. 20535

Dear Mr. Kelley:

You will recall our previous correspondence relative to artifacts of the assassination of the late President John F. Kennedy. Pursuant to Freedom of Information Act (5 USC § 552) amendments effective February 19, 1975, I make the following requests, viz., that you: —

1. Divulge to me the raw data and derived results of any and all spectrographic and/or neutron activation studies on artifacts of the assassination including those, but not limited to, CE 399, CE 842, CE 567, CE 569, CE 840, CE 843, and CE 573.

2. Advise me whether or not the firing pin in Mr. Oswald's rifle CE 139 (serial C 2766) was of the two-piece or solid type.

3. Advise me the angle of rotation with respect to one another of the diverse ejector marks and follower spring marks on each of exhibits CE 543, CE 544, CE 545, and CE 141.

4. Advise me the height of the seats on which the President and Governor Connally were sitting during the assassination and the height of the seats on which the stand-ins were sitting during the FBI re-enactment.

5. Advise me Mr. Oswald's lateral (horizontal) firing angle for each of the Zapruder frames 210-225 and frame 312. [The vertical (depressed) angles are published.]

ENCLOSURE

REC-20

Of course, I shall be happy to pay the usual costs in providing the answers, or acquiring the data for the answers. Anticipating a denial I should appreciate you advising me by return post the correct procedure for appealing the denial within the agency. With kindest personal regards,

sincerely,
John Nichols
John Nichols, M.D.
(Effective date to be date of receipt)

Postal certification number 792591. Postal form 3811 requested.

WU INFOMASTER 2-0[illegible]253E050 02/19/75 FEB 19[illegible]

ICS IPMBNGZ CSP

TELETYPE

3125659182 TDBN CHICAGO IL 52 02-19 0829P EST

TWX 7108229444 FBI WASH DC

CLARENCE KELLY, DIRECTOR, CARE FEDERAL BUREAU OF INVESTIGATION

PENNSYLVANIA AVE AT 9TH NORTHWEST

WASHINGTON DC

SUPPLEMENTARY TO CERTIFIED LETTER NUMBER 792591 SENT YESTERDAY RELATIVE TO ARTIFACTS OF ASSASSINATION PRESIDENT KENNEDY. ADD 6TH REQUEST TO BE "ADVISE AMOUNT OF METAL REMOVED FROM EACH EXHIBIT FOR CHEMICAL AND/OR NEUTRON ACTIVATION ANALYSIS AND AMOUNT OF EACH REMAINING AND PERMIT ME TO SUBMIT ANY REMAINING TO NEUTRON ACTIVATION ANALYSIS"

JOHN NICHOLS

2031 EST

-FBI WASH DC

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4706

ENCLOSURE

REC-20 [illegible]

JUN 24 1975

ST-101

F.O.I.A.

April 15, 1975

1 - Mr. White

Dr. John Nichols
School of Medicine
College of Health Sciences
and Hospital
The University of Kansas
Medical Center
Rainbow Boulevard at 39th
Kansas City, Kansas 66103

Dear Dr. Nichols:

This is in reference to your telegram of April 7th and related telephone calls with representatives of the FBI Freedom of Information Act Unit on April 7th and 11th, concerning your request for spectrographic and neutron activation data regarding the John F. Kennedy assassination investigation.

As indicated to you in the referenced telephone conversations, the costs of searching for and production of the documents in question have been apportioned among three requesters each of whom is being furnished the same material. An itemization of these charges is as follows:

Clerical search time: (5 hours at $1 per quarter hour)	$ 20.00
Nonroutine, nonclerical searches: (10 and 3 quarter hours at $2 per quarter hour)	86.00
Total cost for searching fees:	106.00
Apportioned costs per each of three requesters:	35.33
Copying charges for 73 pages at ten cents per page:	7.30
Total charge incurred:	42.60

REC-20 62-116531-7211

17 JUN 24 1975

ENCLOSURE

2 - The Deputy Attorney General
Attention: Susan M. Hayter - Enclosure
Quinlan J. Shea, Jr. - Enclosure
1 - Buffalo 62-115530 (POI REPLIES)

THB:ms (7)

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GPO 954-546

Dr. John Nichols

The above fee schedule is in accordance with Department of Justice regulations implementing the Freedom of Information Act, currently published in the Federal Register.

In view of your telephone conversation with Special Agent Thomas H. Bresson of the FBI Freedom of Information Act Unit on April 11, 1975, in which you expressed your willingness to pay the amount of the charges described, I am enclosing the 73 pages of laboratory documents you have requested.

The neutron activation material consisting of results and data is marked as item A in the enclosures. Item B contains five worksheets containing spectrographic material and related notes.

We have made every effort to obtain the best possible copies. In the event you have any question concerning the quality of the documents, please feel free to communicate with me.

Sincerely yours,

Clarence M. Kelley
Director

Enclosures (2)

NOTE: Approval for release of the enclosed documents has been obtained in connection with the Harold Weisberg FOIA request. Dr. Nichols is receiving the same documents.

UNITED STATES GOVERNMENT

Memorandum

1-Mr. Jenkins
1-Mr. White
1-Mr. Adams
1-Mr. Gebhardt
1-Mr. Moore
1-Mr. Herndon

TO : Mr. Jenkins

DATE: 3/11/75

FROM : B. J. White

SUBJECT: GEORGE O'TOOLE
AUTHOR
"THE ASSASSINATION TAPES"
ASSASSINATION OF PRESIDENT KENNEDY

The purpose of this memorandum is to respond to the Director's question "What about this?" raised as a result of his review of a UPI wire service report dated 3/10/75 concerning the captioned book. This book concludes Lee Harvey Oswald was telling the truth when he said he did not kill President Kennedy. The author, George O'Toole, a former CIA employee, states he used a Psychological Stress Evaluator (PSE) to reach this conclusion. The wire service report states O'Toole's book also contends he was "framed" possibly by employees of the Dallas Police force and the FBI.

O'Toole held a press conference yesterday and has subsequently appeared on two nationally televised shows to promote his book, a condensed version of which appears in the current issue of "Penthouse." Review of his appearance on the "Panorama" show yesterday indicates the tenor of his book is that Lee Harvey Oswald truthfully denied killing President Kennedy and that the assassination was a conspiracy about which members of the Dallas Police Department may have knowledge.

The gimmick allegedly separating this book from the myriad of others in the field is the use of PSE to indicate Oswald's veracity and certain Dallas policemen's lack thereof. Alan Bell, President of Dektor Counterintelligence and Security, Inc., Springfield, Virginia, PSE's creator and manufacturer, appeared with O'Toole on "Panorama" (the Laboratory recorded the event).

REC-20 62-109060-72

JUN 13 1975

PSE's rationale is that interposed on the audible voice frequencies are certain inaudible frequency modulations whose strength and pattern relate inversely to the degree of physiological stress in the speaker at the moment of utterance. The device detects, measures, and graphically displays certain stress-related components of the voice which, it is alleged, enable the user to detect falsehood. PSE's input is a tape recording (in its present state it cannot be used "live").

File 62-109060

ENCLOSURE

RESEARCH SECTION

KTB:mes:nlb (7)

(CONTINUED - OVER)

56 JUL 02 1975

Memorandum to Mr. Jenkins
Re: GEORGE O'TOOLE
AUTHOR, "THE ASSASSINATION TAPES"
ASSASSINATION OF PRESIDENT KENNEDY

The author predicates his claim of Oswald's truthfulness on two statements made by him in the presence of television cameras on 11/22/63 while in the custody of Dallas police. To a reporter's question "Did you kill the President?" he allegedly responded "No, I have not been charged with that." To a similar question "Did you shoot the President?" he allegedly replied "No I didn't shoot anybody, no sir." O'Toole, who apparently did not himself interpret the charts on these statements, states that while Oswald's voice showed stress at other times during this brief exchange with reporters it showed no stress indicative of deception during utterance of the above two replies.

PSE's underlying theory is sound and is, in fact, the rationale behind the conventional polygraph. We have followed PSE's development and found nothing to indicate its superiority to the polygraph. Its only advantage is that it can be used surreptitiously or, as here, after the declarer is no longer available for live testing. PSE's claimed potential held great possibilities for military application as an expedient method of determining Vietnam villagers bona fides and the Defense Department commissioned extensive research projects to validate the instrument. In a report by Dr. Joseph Kubis, Fordham University, conducted for the U. S. Army Land Warfare Laboratory, it was concluded that PSE's claims were considerably exaggerated and that PSE was markedly inferior to the conventional polygraph as a deception detection device. Other studies confirmed these findings and the Defense Department has discontinued its study of and interest in this device.

Conclusions reached through PSE's use are, like the polygraph's, dependent upon interpretation. We do not have these graphs and do not know what statements made by Oswald showed what specific reactions. The most important point to remember is that any such device measures only physiological reactions. Such reactions may be caused not only by truthfulness or deception, but by many other factors, direct or indirect, and specifically the psychological make-up of the subject. Given the chaotic circumstances of the interview scene, the obvious psychological instability of Oswald, and the dubious accuracy of PSE itself it is our opinion that this latest claim rests upon a poor foundation.

Memorandum to Mr. Jenkins
Re: "GEORGE O'TOOLE
AUTHOR, "THE ASSASSINATION TAPES"
ASSASSINATION OF PRESIDENT KENNEDY

Every reason exists to believe that he was not "framed" based upon the extensive investigation conducted by this Bureau. Further comment in this regard is not possible until such time as O'Toole's book can be reviewed in detail.

RECOMMENDATION:

As soon as O'Toole's book is available, a copy should be obtained by the External Affairs Division for review and appropriate comments.

Book obtained upon visit to Lab. Div.

Pertinent Chapters re "PSE" reviewed in Lab. Div. 6/1-3 and no additional comments referred to Ext. Div. 6-4/3 BAF

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Look about This

UP-023
(KENNEDY ASSASSINATION)
(RELEASE AT 11 AM EDT)
WASHINGTON (UPI) -- LEE HARVEY OSWALD WAS TELLING THE TRUTH WHEN HE SAID HE DID NOT KILL PRESIDENT KENNEDY, ACCORDING TO A FORMER CIA OFFICIAL WHO USED AN ADVANCED TYPE OF LIE DETECTOR ON THE RECORDINGS OF OSWALD'S STATEMENTS.

IN A BOOK WHICH CONTENDS THAT OSWALD WAS "FRAMED," POSSIBLY BY EMPLOYES OF THE DALLAS POLICE FORCE AND THE FBI, AUTHOR GEORGE O'TOOLE BASED HIS CONCLUSION PRIMARILY ON THE MEASUREMENTS OF A DEVICE INVENTED IN 1970 KNOWN AS THE PSYCHOLOGICAL STRESS EVALUATOR -- OR PSE.

"PRESIDENT KENNEDY WAS KILLED BY A CONSPIRACY," SAID O'TOOLE, 38, WHO WAS CHIEF OF THE CIA PROBLEM ANALYSIS BRANCH FROM 1966 TO 1969. "THE MAN WHO PAID WITH HIS LIFE FOR THAT CRIME IN THE BASEMENT OF THE DALLAS CITY HALL WAS INNOCENT."

ADVANCE COPIES OF O'TOOLE'S BOOK, "THE ASSASSINATION TAPES," WERE MADE AVAILABLE TODAY TO THE NEWS MEDIA AND AN EXCERPT WAS PUBLISHED IN THE APRIL ISSUE OF PENTHOUSE.

O'TOOLE SAID LEADING AUTHORITIES ON LIE DETECTION AND THE PSE WHO EXAMINED OSWALD'S STATEMENTS AGREE THAT HE TOLD THE TRUTH.

THE MACHINE MEASURES CHANGES IN HUMAN VOICE FREQUENCIES, AND WHEN THE MODULATION DISAPPEARS, IT IS AS A RESULT OF STRESS AND IS A STRONG INDICATION THE SPEAKER IS LYING.

"HIS (OSWALD'S) CATEGORICAL DENIAL THAT HE SHOT ANYONE CONTAINS ALMOST NO STRESS AT ALL," O'TOOLE SAID. "STRESS IS A NECESSARY, BUT NOT SUFFICIENT, CONDITION OF LYING...

"BUT THE ABSENCE OF STRESS IS A SUFFICIENT CONDITION OF TRUTHFULNESS ... OSWALD DENIED SHOOTING ANYBODY -- THE PRESIDENT, THE POLICEMAN (J.D. TIPPITT), ANYBODY. THE PSYCHOLOGICAL STRESS EVALUATOR SAID HE WAS TELLING THE TRUTH."

UPI 03-10 09:56 AED

ENCLOSURE

REC-20 62-109060-721

1 JUN 13 1975

WASHINGTON CAPITAL NEWS SERVICE

Pierce
Wiele
re Gordon
3/11/75
K25: mcs wcl

Airtel

To: SAC, Buffalo

6/18/75

From: Director, FBI

1 - Mr. Gebhardt
1 - Mr. Cooke
1 - Mr. Nettles
1 - Mr. Wannall

ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY
NOVEMBER 22, 1963
DALLAS, TEXAS
MISCELLANEOUS - INFORMATION CONCERNING

ReBuairtel 5/19/75, and airtels from Los Angeles 5/29/75, Dallas 6/3/75, and New Orleans 6/6/75.

Buffalo interview Richard Monroe Margeson. Furnish results to Bureau, Dallas, Los Angeles, and New Orleans for evaluation.

Dallas, Los Angeles, and New Orleans evaluate results of interview when received and advise Bureau.

62-109060-7213
62-109060-7313

2 - Dallas
2 - Los Angeles
2 - New Orleans

EX-105 REC-63

5 JUN 19 1975

WEN:cjl (13)

SEE NOTE PAGE TWO . . .

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Dep. AD Adm. ____
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MAILED 9
JUN 18 1975
FBI

JUN 27 1975

MAIL ROOM ☑ TELETYPE UNIT ☐

JUL 11 1975

GPO : 1975 O - 569-920

Airtel to SAC, Buffalo
Re: ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY

NOTE: Richard Monroe Margeson of Rochester, New York, alleges to have met Lee Harvey Oswald (who was using name Harvey Lee, aka "Tex") in Los Angeles in late 1962 or early 1963 through Lawrence Howard, Rudy Hernandez, and a person known as "Slim," who were associated with training anti-Castro forces in Florida for an invasion of Cuba. He says he recently became concerned that there might have been a conspiracy to kill President Kennedy after viewing a TV program which depicted Oswald as being in Russia when he was actually in California. The basis for his assumption is incorrect in that Oswald returned to the U.S. in June, 1962. Howard's name did figure in the Kennedy assassination in relation to a woman in Dallas, Texas, claiming that Oswald visited her in September, 1963, with two Cuban companions. Investigation determined the persons who actually visited her were possibly Howard and two other individuals. The Warren Commission concluded she had never actually met Oswald. Bureau files reflect that the exact location of Oswald was not absolutely known for all given periods of time after returning to the U.S.

Margeson's information, which was received from the Sheriff of Wyoming County, New York, has been reviewed by the Dallas, Los Angeles, and New Orleans Offices. No known connection between Howard and Oswald is known, nor is there any indication Oswald was in California following his return from Russia. Since the above-mentioned Sheriff stated he had no reason to believe Margeson is not stable, this communication instructs Buffalo to interview Margeson and submit results to Bureau, Dallas, Los Angeles, and New Orleans for evaluation.

UNITED STATES GOVERNMENT

Memorandum

Assoc. Dir. ____
Dep. AD Adm. ____
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Telephone Rm. ____
Director Sec'y ____

TO : MR. CALLAHAN DATE: 6/9/75

FROM : J. B. ADAMS

SUBJECT: ASSASSINATION OF PRESIDENT JOHN F. KENNEDY

On 6/6/75 Mr. John J. Buckley, Jr., Special Assistant to the Attorney General, called to advise that he had received a telephone call from an individual identifying himself as Richard Popkin, a professor at Washington University in St. Louis. Popkin indicated he had been approached by an ex-CIA agent whose true name is Richard C. Nagell and who has used aliases of Joseph Kramer and Robert Nolan. Nagell claimed he had written a letter to Mr. Hoover in September, 1963, warning that Oswald was going to kill Kennedy. Nagell did not use Oswald's name in the communication but used some other name as an alias. Nagell claimed he received no reply from the FBI and after the assassination wrote a letter to the Warren Commission explaining the failure of the FBI to act on his warning.

Mr. Buckley advised that Professor Popkin had contacted the Attorney General's office regarding this matter rather than the FBI because he had gone to Senator Baker with this story and Senator Baker told him not to go to the FBI because they would destroy the letter. Professor Popkin advised Mr. Buckley that he had checked the Warren report and saw a reference to the claim by Nagell.

Mr. Buckley advised the Attorney General of this call and he instructed him to refer the matter to me. Mr. Buckley is not acquainted with Professor Popkin and is not in a position to evaluate his reliability, although he did say he was going to see Morton Halperin and Victor Marchetti.

UNRECORDED COPY FILED IN

ACTION:

REC-1 7214

Files should be promptly reviewed concerning this matter and the results made available to the Attorney General by memorandum.

JBA:ams
(4)
1 - Mr. Gebhardt
1 - Mr. Wannall

5 JUN 16 1975

JUN 27 1975

The Attorney General

June 12, 1975

Director, FBI

1 - Mr. Adams
1 - Mr. Gebhardt
1 - Mr. Cooke
1 - Mr. Nettles
1 - Mr. Wannall

ASSASSINATION OF PRESIDENT
JOHN F. KENNEDY

Reference is made to a June 6, 1975, telephone call from Mr. John J. Buckley, Jr., Special Assistant to the Attorney General, to Mr. J. B. Adams, Assistant to the Director - Deputy Associate Director of the FBI. In that call Mr. Buckley advised that he had received a telephone call from an individual identifying himself as Richard Popkin, a professor at Washington University in St. Louis, Missouri. Mr. Popkin indicated he had been approached by an ex-Central Intelligence Agency (CIA) agent by the name of Richard C. Nagell who claimed to have written a letter to the FBI in September, 1963, warning that Lee Harvey Oswald was going to kill President Kennedy.

FBI files contain no record of receipt of the alleged 1963 letter from Nagell, who has a long history of mental instability. The CIA has advised in the past that Nagell was never of operational interest to that agency.

To set Nagell's allegations in proper perspective, the following information pertaining to him was extracted from FBI files:

Richard C. Nagell served as an officer in the U. S. Army (Counterintelligence Corps and Infantry) and was wounded on several occasions. He was the lone survivor of a military aircraft crash in 1954, suffering severe head injuries. Since then, he has received psychiatric treatment in numerous hospitals. In January, 1963, he was diagnosed

[redacted]

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MAILED 10
JUN 13 1975
FBI

EN:sls
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NOTE: See memorandum J. B. Adams to Mr. Callahan 6/9/75, captioned as above (JBA:ams).

JUN 30 1975

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Prior to the crash, Nagell had an outstanding military record in the intelligence field, but his personality and actions markedly deteriorated after the crash. He was held in jail in East Germany for four months in 1968 after having apparently made remarks considered derogatory to East Germany while on a train en route from West Germany to Berlin.

Over the years Nagell has been in contact with various Governmental agencies in an attempt to have his disability payments increased. At one time he commented to a U. S. Government representative that "unless promises made to him by U. S. officials were honored, he would reveal to the press the entire story of his alleged contacts with the CIA and would expose individuals with whom he had contact in CIA." He has been in contact with several FBI Offices over the years, primarily alleging civil rights violations and intelligence activities.

In September, 1963, Nagell entered a bank in El Paso, Texas, pointed a revolver at a teller, and then fired it twice over her head. He was apprehended at the scene and was convicted of a bank robbery violation.

In December, 1963, he told an FBI Agent that he had a social relationship with Lee Harvey Oswald in Mexico City and in Texas. He refused to comment further on this. In January, 1964, he requested to talk to an agent of the U. S. Secret Service (USSS). He was contacted by a USSS agent and an FBI Agent, but stated the information he wished to report was "too late now." He added that he had been acquainted with Lee Harvey Oswald's wife, Marina. He stated he knew "certain things" in the Fort Worth - Dallas, Texas, area and wanted to let USSS know that someone like Oswald was in the area; however, he knew nothing of Oswald's intention to assassinate President Kennedy. Nagell's photograph was subsequently shown to Marina Oswald. She said she had never seen him before.

While being removed from a courtroom in El Paso in January, 1964, Nagell made wild accusations in a shouting manner to newspaper reporters accusing the FBI of not attempting to prevent the assassination of President Kennedy.

In a letter to the FBI in 1964, Nagell alleged that the FBI was attempting to get him "railroaded" into prison on the "phony" bank robbery charges. He mentioned sending a registered letter, signed Joseph Kramer (one of his aliases), to the FBI in September, 1963, concerning the "prospective action of Lee H. Oswald (Albert Hidel)." He stated, "Since the information disclosed in that letter was judged to be mendacious by the FBI, as is quite evident, then with whom the responsibility lies for what subsequently happened in Dallas is rather obvious."

No record could be located of the alleged September, 1963, letter in the files of the FBI.

The CIA advised in 1968 that Nagell was never of operational interest to that agency.

In 1969, Nagell told a representative of the U. S. Government in Germany that he was a retired military man, who following retirement, worked as an investigator for the CIA; was involved in the Lee Harvey Oswald case; and was arrested and sentenced for an alleged bank robbery since he "knew too much."

In an April, 1967, letter to Senator Richard B. Russell (which was provided to the FBI), Nagell stated he was no longer certain the letter he sent to the FBI in September, 1963, "was sent via postal registry, or for that matter, ever mailed."

On November 19, 1968, Nagell went to the FBI Office in New York City, New York, and made available, among several items, copies of an article from the July 13, 1968, edition of the "New Yorker" magazine. This article pertained to the investigation of the assassination conducted by New Orleans, Louisiana, District Attorney Jim Garrison. It states in part that Nagell was brought forward as a witness with the assistance of "Professor Popkin." It states that Nagell had purposely gotten himself arrested on the bank robbery charge to provide himself with an alibi for his involvement in the "assassination conspiracy," his part being to kill Oswald, who was the "patsy." Nagell allegedly told a Garrison investigator that he had proof of the conspiracy in the form of tape recordings hidden in a steamer trunk in California.

The Attorney General

When the recordings could not be found, Nagell told the investigator, 'They've stolen the tapes,' and he refused to discuss the matter any further. The article states that Nagell was rejected as a court witness, but Garrison continued to use Nagell's story to bolster his case in public.

Also, during that visit to the New York City Office of the FBI, Nagell made available a letter he had written to the 'New Yorker' magazine on November 14, 1968, in which he says he never claimed to have purposely gotten himself arrested to provide himself with an alibi for his involvement in the assassination conspiracy.

Richard H. Popkin, Professor of Philosophy at Washington University, St. Louis, Missouri, was formerly Chairman of the Department of Philosophy, University of California, at San Diego. He is the author of a book entitled 'The Second Oswald,' published in 1966. In this book Popkin reviews much of the material of other critics of the Warren Commission and presents a theory that there was a second assassin who looked like Lee Harvey Oswald and was with Oswald in the Texas School Book Depository. He has been involved in conferences held at Georgetown University in Washington, D. C., by the 'Committee to Investigate Assassinations,' wherein recent political assassinations were discussed. In 1969 he gave a speech at a 'Teach-In' at San Diego State College in California in which he outlined assassinations of several prominent political and civil rights personalities in the United States. He contended that the assassins were employees of the FBI.

1 - The Deputy Attorney General

1 - Assistant Attorney General
Criminal Division

VM

FD-36 (Rev. 5-22-64)

FBI

Date: 6/26/75

Transmit the following in _____ (Type in plaintext or code)

Via AIR TEL AIR MAIL (Priority)

TO: DIRECTOR, FBI (62-109060) REC-5

FROM: SAC, BUFFALO (62-1827) (RUC)

ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY
NOVEMBER 22, 1963
DALLAS, TEXAS
MISCELLANEOUS - INFORMATION CONCERNING

Remynitel to the Bureau, 4/18/75; Bureau airtel to Buffalo, 5/19/75; Los Angeles airtel to the Bureau, 5/29/75; New Orleans airtel to the Bureau, 6/6/75; Bureau airtel to Buffalo, 6/18/75.

On 6/24/75, RICHARD MONROE MARGESON, Webster Road, Town of Middlebury, Wyoming County, New York 14591, telephone number 716-495-6837, was interviewed at his residence and he advised as follows:

MARGESON is a white male, born 6/16/27 at Rochester, New York. He attended four years of high school but received no high school diploma. He completed a two year correspondence course in Traffic Management and a one year correspondence course in Law. He was previously employed as a can machine mechanic for T. J. Lipton Co., Albion, New York, until he was laid off in October 1974 and has been unemployed since that time. However, MARGESON is

EX-103

REC-5 62-109060-7215

7 JUN 30 1975

(2) - Bureau (AM)
2 - Dallas (89-43) (AM)
2 - Los Angeles (105-15823) (AM)
2 - New Orleans (89-69) (AM)
1 - Buffalo
TAG:bar
(9)

SEE NOTE PAGE 2

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

U.S. Government Printing Office: 1972 — 455-574

a farmer and operates the farm at his residence and breeds and raises dogs.

MARGESON and his wife resided in the Los Angeles, California area from 1950 through 1972. In 1960, MARGESON secured a position as a Material Handler for Recold Corp., Slausen Avenue, Los Angeles. He was residing on Trigg Street in East Los Angeles at that time, which MARGESON described as an area chiefly comprised of Mexican Americans. During 1960, MARGESON met LAWRENCE J. HOWARD, JR., who was a welder at Recold Corp. MARGESON described HOWARD as a white male of Mexican descent whose father was from the United States and his mother was from Mexico. He said that HOWARD was in his late 20's or early 30's at that time and was approximately 6 feet in height, 300 lbs., large build, black hair, brown eyes, medium complexion and wore a large Fu Manchu mustache. HOWARD's residence was only a few blocks from where MARGESON lived. HOWARD was married and his wife, whose name is unknown to MARGESON, was of Mexican heritage and was employed by the Telephone Co.

During most of 1960, the employees of Recold Corp. who were members of the United Auto Workers union local, were on strike. HOWARD was the leader of the Education Committee of this union, and MARGESON was a member of the committee. The striking employees were replaced by Recold Corp. with out-of-state employees in order to maintain Recold Corp.'s operations. Although HOWARD and MARGESON devoted some of their time to union activities, both had ample time to pursue their hobbies of camping, hunting, guns and fast draw contests. Because of their common employment and since they were both avid gun and hunting buffs, HOWARD and MARGESON spent a considerable amount of time together.

There was a lot of publicity regarding CASTRO and Cuba at that time and it soon became common knowledge in the area where MARGESON resided that recruiting efforts were being made, particularly among Spanish speaking people, for volunteers to organize into an anti-CASTRO group. HOWARD became interested in this anti-CASTRO movement and decided to become involved in recruiting volunteers. Although MARGESON was spending most of his time researching possible lost gold mines, he sometimes accompanied

HOWARD in his recruiting efforts. HOWARD and MARGESON would drive around at night in the areas where Cuban refugees were living in the Los Angeles area and would attempt to recruit volunteers for an anti-CASTRO group at gas stations, parking lots and other places where Cuban refugees would congregate. MARGESON was unable to understand these conversations because HOWARD spoke to the Cuban refugees in Spanish and MARGESON does not understand that language. The purpose of these efforts was to recruit a volunteer guerilla army and to raise funds to train and support this army for an invasion into Cuba. MARGESON commented that he observed the volatile Latin temperament displayed by HOWARD, other Mexican Americans and the Cuban refugees and that this temperament possibly explains their extreme emotions in connection with the anti-CASTRO movement.

Sometime during 1961, HOWARD went to Florida for the purpose of training volunteers for the guerilla army which was to invade Cuba. HOWARD seemed particularly suited for this activity in view of his expertise in handling firearms and knives. HOWARD told MARGESON he had served in the U. S. Army and had received a medical discharge because of an injury to his foot. MARGESON had noticed that HOWARD limped after he had been walking for a prolonged period of time. MARGESON received a postcard from HOWARD and the postcard was from Marathon Key, Florida in the Florida Keys. HOWARD mentioned Big Pine and Little Pine as being nearby Marathon Key, and MARGESON assumed that the guerilla warfare training was taking place in that area.

HOWARD returned to Los Angeles after several months, arriving sometime in 1962. Accompanying HOWARD was RUDY HERNANDEZ, a white male of Mexican descent, in his 20's, 5'2" to 5'4" in height, stocky build, black hair and a dark complexion. Also accompanying HOWARD was a white male, age in the late 20's, 5'8" to 5'9", 150-165 lbs., slender build, whom MARGESON knew only as "SLIM." HOWARD resided with his wife in their home near MARGESON's residence and HERNANDEZ and "SLIM" resided in the Olive Hotel, Olive Street, Los Angeles. HERNANDEZ, "SLIM" and MARGESON obtained employment painting and refurbishing the Old Union Temple Building located behind the Los Angeles Greyhound Bus Station, which was supervised by a man named JACK CASEY. This building

reportedly housed the Marquade (ph) Printing Shop in the basement which at that time was engaged in printing the original draft of RICHARD M. NIXON's book after he lost the Presidential election. HOWARD, HERNANDEZ and "SLIM" began talking about a man called "TEX" who was coming to Los Angeles from New Orleans. From their comments, MARGESON learned that "TEX" was not involved in the guerilla training in Florida but that "TEX" was apparently considered to be a very important person by MARGESON's friends. They indicated that "TEX" was one of their people and implied that he had something to do with the Cuban invasion. HOWARD had mentioned that on his way back to Los Angeles from Florida, he had driven a car from New Orleans to Los Angeles for a company involved in "dead-heading," or relocating cars. In late 1962 or early 1963, "TEX" arrived in Los Angeles and roomed with HERNANDEZ and "SLIM" in the Olive Hotel. MARGESON described "TEX" as a white male, age in his late 20's or early 30's, 5'8" to 5'9" in height, 150-160 lbs., slender build, brown hair and medium complexion. MARGESON was curious about "TEX" because of the fuss made over him by his friends and, prior to "TEX"'s arrival, MARGESON approached HOWARD with the suggestion of MARGESON having "TEX" to his home for dinner. HOWARD's first reaction was one of reluctance but eventually he conceded. When "TEX" arrived, MARGESON drove to the Olive Hotel in order to take "TEX" back to MARGESON's home for dinner. MARGESON found that it was very difficult to make conversation with "TEX." Many times "TEX" would not reply to a question and generally had a very dull personality. "TEX" told MARGESON he had never been in the Los Angeles area before. In anticipation of introducing "TEX" to his wife, MARGESON asked "TEX" his name. At first, "TEX" hesitated but then told MARGESON his name. Although MARGESON is not positive, he believes that "TEX" gave the name of LEE HARVEY or HARVEY LEE. MARGESON said he recalls these names through word association based on the fact he has a relative by the name of LEE and another relative by the name of HARVEY. After eating a delicious home cooked meal, "TEX" did not even bother to thank MARGESON or MARGESON's wife.

"TEX" began working in the Old Union Temple Building with HERNANDEZ, "SLIM" and MARGESON. The supervisor of this work, JACK CASEY, was seldom on the job and therefore, MARGESON and the others spent only a small amount of their time actually working with most of their time being devoted to

"bull sessions." "TEX" gave the impression that he was a rough and tumble type person who liked the idea of guerilla type warfare, however, MARGESON was told by the others that "TEX" had received an undesirable or a bad conduct discharge from the military. MARGESON did not hold this against "TEX" since MARGESON received a bad conduct discharge from the military. "TEX" frequently talked about making "big money" and his schemes usually involved violence. As an example, MARGESON recalled "TEX" talking about a guerilla type raid on a diamond mine in Peru in which everyone in the mine would be killed and a fortune in diamonds would be seized. "TEX" mentioned something about a $50,000 reward for CASTRO's head. One of "TEX"'s peculiarities was determining how quickly he could get from the top of the building in which they were working to the lobby and he would frequently challenge someone to a race. MARGESON said he did not know how "TEX" got from the top of the building to the lobby because they took different routes in their races but he thought that "TEX" might be sliding down the elevator cables. In one of their bull sessions, MARGESON asked "TEX" if he and his group had any contact with the CIA. In response, "TEX" took a scrap of paper out of his wallet and showed it to MARGESON. This scrap of paper had a name and telephone number on it. MARGESON cannot recall the name but remembers that it was the name of a prominent family in the South. "TEX"'s purpose in showing MARGESON this name was to show MARGESON that he had connections with important people. "TEX" stayed for about one month and then left the Los Angeles area, not indicating where he was going, and MARGESON never heard from "TEX" again. HERNANDEZ and "SLIM" left at the same time, but MARGESON does not know if they left together. During the time that MARGESON and the others were working in the Old Union Temple Building, HOWARD never came to that building, and MARGESON got the impression that HOWARD intentionally avoided being seen with that group at that building but MARGESON did not know the reason.

After the Bay of Pigs incident, MARGESON asked HOWARD what he intended to do since the Cuban invasion had failed. Although HOWARD never made any statements, MARGESON felt HOWARD implied that he or someone associated with the anti-CASTRO movement intended to do something very spectacular and to blame it on CASTRO. This incident was to be so horrendous as to put the United States Government in such a position that they would be forced to openly invade Cuba.

Around October 1963, MARGESON moved from Trigg Street to East 53rd Street, Maywood, California, and he lost contact with HOWARD. At that time, HOWARD was working for a trailer manufacturer on Whittier Blvd. in Los Angeles. MARGESON saw HOWARD's name and address in the Los Angeles Times in connection with HOWARD being subpoenaed by former District Attorney GARRISON, New Orleans, Louisiana, during the course of GARRISON's investigation of the assassination of President KENNEDY. MARGESON and his wife drove to this address which he believes was in San Gabriel or South San Gabriel in order to see HOWARD and talk over old times. MARGESON recalled that HOWARD resided near Rose Mead Blvd. When MARGESON and his wife arrived at HOWARD's residence, there was a truck camper parked in the driveway with a Cadillac parked behind it. MARGESON rang the doorbell and could hear voices inside through the partially opened front door. HOWARD came to the door with an automatic pistol in his hand looking out of the door cautiously to see who was there. When HOWARD recognized MARGESON, he told MARGESON he was busy at the moment and asked MARGESON to return in about an hour. When MARGESON returned in an hour, HOWARD again came to the door with the pistol in his hand. HOWARD then put the pistol in his belt and invited the MARGESONs inside. During the time they were talking, MARGESON noticed that there was another automatic pistol on the telephone stand near the sofa and HOWARD indicated during their discussion that he had seven loaded guns in his house. HOWARD told MARGESON that things were a little tough since he had been subpoenaed to testify in New Orleans. He showed MARGESON an envelope and said that it contained his airplane tickets to New Orleans and a letter from DA GARRISON. MARGESON asked HOWARD if he were going to go to New Orleans to testify. HOWARD answered that the man who had just been at his home who was driving the Cadillac was HOWARD's attorney and that he had been taking HOWARD's deposition so that HOWARD would not have to go testify. HOWARD said that if he were to go to New Orleans that they might lock him up and lose the key.

HOWARD told MARGESON that his wife and two daughters were with his mother and that he was staying in his home alone. HOWARD commented that he did not know who could be an enemy and that he had to be very cautious. MARGESON commented that HOWARD was not the kind of person who ever seemed to be afraid of anything but that he appeared

TN

very frightened at that time. MARGESON believes that this visit took place in 1968.

After this visit, MARGESON lost contact with HOWARD. MARGESON stated that he subsequently observed a great deal of national publicity in the various media concerning the arrest of HOWARD and five other individuals in a 38 foot boat off the Florida coast for a violation of the Neutrality Act. The names of the other five individuals were Cuban names. HOWARD was in possession of a 7 mm or .32 caliber Browning automatic pistol that MARGESON had previously sold to HOWARD.

MARGESON's curiosity concerning the activities of HOWARD, HERNANDEZ, "SLIM" and "TEX" was aroused when the Watergate incident was receiving so much publicity. MARGESON speculated that HOWARD, who always described himself as a soldier of fortune, must have been involved in President KENNEDY's assassination and that this was the incident HOWARD meant when he referred to something that would force the United States to invade Cuba. MARGESON also speculated that HOWARD must have known E. HOWARD HUNT because E. HOWARD HUNT spent time in Florida when he was with the CIA and that HUNT would have known anyone such as HOWARD who was involved in training guerillas for a possible invasion of Cuba.

MARGESON began thinking about "TEX" when he reviewed photographs of LEE HARVEY OSWALD. MARGESON stated that "TEX" looked very much like LEE HARVEY OSWALD but that he is certain that "TEX" is not OSWALD because their mouths were considerably different and OSWALD had a "weaker" chin. MARGESON said that the November 1971 edition of True magazine contains an article concerning Alpha 66, a Miami based militant Cuban exile group. The author of this article was DEANE E. BOSTICK. This same magazine contains a photograph of BOSTICK which seems to MARGESON to be identical to HOWARD. The magazine also contains some information concerning BOSTICK, describing BOSTICK as a free lance writer and a soldier of fortune who had been involved in the seizure of a 38 foot boat by the U. S. Coast Guard in the straits between Florida and Cuba in early September of that year and that this boat contained ammunition and parts of a .50 caliber machine gun. The magazine indicated that BOSTICK was released on a $2,500 bond on his own recognizance and that charges against him were later dropped.

F.A 3/11

MARGESON stated that he does not actually have any information which would connect HOWARD or any of HOWARD's friends with the assassination of President KENNEDY. He explained that he had a lot of free time since he lost his job in October 1974 and that he had started thinking about these matters and formulating his own theories. He said that his memory has become somewhat hazy and that he is uncertain as to names and dates and much of the other information.

It was pointed out to MARGESON that some of the information he had furnished was contradictory to that furnished by Sheriff ALLEN L. CAPWELL, Wyoming County, Warsaw, New York, as related by CAPWELL as having been told to him by MARGESON. MARGESON stated that his only explanation is that Sheriff CAPWELL must have misunderstood him.

It is noted that MARGESON's home has the appearance of a one room shack and was in a disorderly condition. MARGESON was contacted at approximately 8:15 AM and still had not arisen. Although MARGESON speaks relatively well, he appears to confuse fact with his own theories.

Dallas, Los Angeles and New Orleans evaluate results of the above interview and advise the Bureau.

THIS SERIAL HAS BEEN REFERRED TO ANOTHER AGENCY AND IS IN A PENDING STATUS:

FILE NO. 62-109060

SERIAL NO. UNREC. AFTER 7215

PAGE NO.

NO. OF PAGES 1.

SECTION NO.

179

U.S. SECRET SERVICE

REFERRAL

WESTERN UNION Telegram

ATTORNEY GENERAL EDWARD LEVI
DEPT JUSTICE
WASHINGTON DC 20530

I HAVE DOCUMENTS INDICATING THAT US INTELLIGENCE AGENCIES HAD A LABORATORY PRODUCING ROBOT MURDERERS (MANCHURIAN CANDIDATES) AND THAT AT LEAST ONE OF THEM TOOK PART IN THE ASSASSINATION OF JOHN F KENNEDY. SEE ROCKEFELLER COMMISSION REPORT PAGES 226 AND 227. THE PROGRAMMER OF THIS ROBOT MURDERER IS PRESENTLY AT LARGE. I WILL PROVIDE THE INFORMATION TO YOU AT YOUR CONVENIENCE

RICHARD M POHLMAN 2670 COSTEBELLE DR LA JOLLA CA 92037 714-453-6966

62-101060-
NOT RECORDED
5 JUN 24 1975

Original sent to AAG Buckley, Special Litigation Unit, Tax Division, Department of Justice, Washington, D.C.

62-101060

57 JUL 14 1975

UNITED STATES GOVERNMENT

Memorandum

Assoc. Dir. ____
Dep. AD Adm. ____
Dep. AD Inv. ____
Asst. Dir.:
Admin. ____
Comp. Syst. ____
Ext. Affairs ____
Files & Com. ____
Gen. Inv. ____
Ident. ____
Inspection ____
Intell. ____
Laboratory ____
Legal Coun. ____
Plan. & Eval. ____
Spec. Inv. ____
Training ____
Telephone Rm. ____
Director Sec'y ____

TO : Mr. J. B. White

DATE: April 28, 1975

FROM : Legal Counsel

SUBJECT: FREEDOM OF INFORMATION ACT (FOIA)
REQUEST OF DR. CYRIL H. WECHT

Attached to this memorandum is a copy of FOIA request submitted by captioned individual. This correspondence has been acknowledged by FOIA Unit, and Wecht has been advised of the contemplated release of the requested documents to him and two other requesters. It will be recalled that we have released with approval, neutron activation and spectrograph analysis data to Harold Weisberg and Dr. John Nichols under the FOIA.

RECOMMENDATIONS:

1. The Laboratory Division advise if Wecht's request would include the material previously released to Weisberg and Nichols, or if additional data is needed to be responsive to his request.

2. Provide proper reply to Wecht's question in paragraph two regarding his statement that two separate neutron activation analyses were conducted.

3. Return to FOIA Unit for response to Wecht.

Enclosure

THB:mjs (3)

REC-31 -7216

10 JUN 11 1975

Jack

LABORATORY ADDRESS [illegible]; csl APRIL 30, 1975

1. A review of Lecht's request indicated that the release of the same material as has been released to Weisberg and Nichols would be responsive to Lecht's request.

2. A review of material contained in the Laboratory shows that the only neutron activation analysis examination conducted on the [illegible] fragments was conducted during May, 1964.

H. WECHT M.D., J.D., F.C.A.P.
CORONER

JOSHUA A. PERPER, M.D., LL.B., M.Sc.
CHIEF FORENSIC PATHOLOGIST

CHARLES L. WINEK, PH.D.
CHIEF TOXICOLOGIST

BERNARD J. McGOWAN, ESQ.
SOLICITOR

County of Allegheny

542 FOURTH AVENUE • PITTSBURGH, PA. 15219
(412) 355-4460 355-4466
OFFICE OF THE CORONER

February 25, 1975

The Honorable Edward H. Levi
Attorney General of the United States
United States Department of Justice
Washington, D. C. 20530

Dear Mr. Attorney General:

Under the provisions of the revised Freedom of Information Act, 5 U.S.C. Section 552 as amended, I hereby request access to and copies of all reports, written findings, and laboratory data collected or compiled by the FBI concerning the neutron activation analyses of bullets and bullet fragments recovered during the investigation of the assassination of President John F. Kennedy. I have previously made requests for such information by correspondence with the Department of Justice in 1974, and I wish to incorporate the previous correspondence to serve as part of the basis and factual background for my present request. Copies of the previous correspondence are enclosed for your convenience.

Since the time of my previous request, it has come to my attention that there may have been two separate neutron activation analyses conducted on the recovered bullet fragments, the first in late 1963 or early 1964 and the second in June or July of 1964. I intend that my present request cover the reports, findings and data for both of these analyses and any others that may have been conducted on the same specimens.

The technique of neutron activation analysis has been in existence for many years and is thoroughly described and reported in publicly available literature. While variations and improvements on the technique have been developed since 1963, these too have been described in the scientific literature and are in the public domain. The applications of the technique for investigative and law enforcement purposes are also well known to members of the forensic science community, including myself.

Public release of the information I am seeking would, therefore, not disclose investigative techniques and procedures not already well known and widely available to the public, nor otherwise impair law enforcement agencies in any way. In this respect, I refer to the intent of Congress in amending the Freedom of Information Act as reported on page 12 of House Report No. 93-1380, September 25, 1974.

Respectfully yours,

Cyril H. Wecht, M.D., J.D.

Clinical Associate Professor of Pathology, University of Pittsburgh Schools of Medicine and Dental Medicine

Research Professor of Law and Director, Institute of Forensic Sciences, Duquesne University School of Law

CHW/lfb
Enclosures

2 - J. A. Mintz
1 - J. B. Hotis)
1 - [illegible] E. Gebhardt
1 - W. R. Wannall
1 - W. O. Cregar

The Attorney General

June 27, 1975

Director, FBI

U. S. SENATE SELECT COMMITTEE
ON INTELLIGENCE ACTIVITIES (SSC)

Reference is made to a letter from the SSC dated May 27, 1975, requesting certain documents be made available by the FBI.

Enclosed for your approval and forwarding to the Committee is an original of a memorandum which constitutes a response to the request. A copy of the memorandum is furnished for your record.

Enclosures - 2

62-116395

1 - Deputy Attorney General
Attention: K. William O'Connor
Special Counsel for
Intelligence Coordination

1 - 105-82555 (Oswald)
1 - 62-109060 (Warren Commission)
1 - 44-24016 (Ruby)

JWJ:sjm
(12)

ENCLOSURE

NOT RECORDED
46 JUL 17 1975

DUPLICATE YELLOW

84 JUL 21 1975

ORIGINAL FILED IN

2 - Mr. J. A. Mintz
(1 - Mr. J. B. Hotis)
1 - Mr. R. E. Gebhardt
1 - Mr. W. R. Wannall
1 - Mr. W. O. Cregar

62-116395

June 27, 1975

U. S. SENATE SELECT COMMITTEE
TO STUDY GOVERNMENTAL OPERATIONS
WITH RESPECT TO INTELLIGENCE
ACTIVITIES (SSC)

RE: REQUEST OF SSC FOR ACCESS TO WARREN
COMMISSION DOCUMENTS, ORIGINATED BY
FBI, PRESENTLY WITHHELD FROM RESEARCH

Reference is made to letter dated May 27, 1975, to the Attorney General from the Chairman of captioned Committee, which requested the FBI to make available Warren Commission documents originated by the FBI, now withheld from research, for review by representatives of SSC.

Upon completion of the review of the 145 documents identified on a "List of Numbered Commission Documents of the Warren Commission Withheld From Research," attached to the request of the SSC, the FBI agrees that appropriately cleared representatives of the SSC may be given access to review the pertinent documents located at the General Services Administration, National Archives and Records Service, Washington, D. C. This access is granted with the understanding that no written notes will be made at the time of review and that the SSC may, in writing, request any specific documents of interest to the Committee.

Upon receipt of any request, the documents will be reviewed by the FBI as to any third agency or privacy consideration prior to furnishing the documents to the SSC. When necessary, excisions may be made for above reasons.

1 - Attorney General

1 - 105-82555 (Oswald)
1 - 62-109060 (Warren Commission)
1 - 44-24016 (Ruby)

JWJ:sjm
(11)

SEE NOTE PAGE TWO

ENCLOSURE

62-116395-

U. S. Senate Select Committee
Re: Request of SSC for Access to
Warren Commission Documents,
Originated by FBI, Presently
Withheld from Research

NOTE:

Memorandum from W. A. Branigan to Mr. W. R. Wannall dated 6/18/75, granted approval.

FBI

Date: 6/5/75

Transmit the following in _____ (Type in plaintext or code)

Via AIRTEL _____ (Priority)

TO: DIRECTOR, FBI (62-109060)

FROM: SAC, DALLAS (89-43) (P)

SUBJECT: ASSASSINATION OF JOHN FITZGERALD KENNEDY
DALLAS, TEXAS
11/22/63
MISCELLANEOUS-INFORMATION CONCERNING

OO: DALLAS

Enclosed is one copy each of the following described newspaper articles relating to captioned matter:

1) "The Dallas Times Herald", Dallas, Texas, of 3/28/75 captioned "JFK autopsy termed 'incompetent'-Two gunmen fired at motorcade, pathologist says." This article sets forth comments of Dr. CYRIL WECHT, Allegheny County, Pennsylvania, who states he is one of the few persons to see the autopsy reports of President JOHN FITZGERALD KENNEDY.

2) "The Dallas Times Herald", Dallas, Texas, of 4/17/75, captioned "CIA, FBI need checks, Ervin says-Special congressional committee urged." This article sets forth comments of former U. S. Senator SAM ERVIN in a speech at Dallas, Texas.

3) "The Dallas Morning News", Dallas, Texas, of 4/20/75, captioned "2nd JFK Probe Gains Support." This article relates comments of Representative HENRY GONZALEZ of San Antonio to the effect that 20 fellow Congressmen have expressed interest and a desire to pursue the reopening of captioned investigation.

7217

REC 22

16 JUN 9 1975

2-Bureau (Encs. 16)
2-Dallas
RPG:ako
(4)

EX-101

Approved: 8 AUG 5 1976 Sent _____ M Per _____

Special Agent in Charge

U. S. GOVERNMENT PRINTING OFFICE

4) "The Dallas Times Herald", Dallas, Texas, of 4/21/75, captioned "Sturgis admits cloak-dagger role-Stole Castro files." This article sets forth comments by and about FRANK STURGIS who was born FRANK ANGELO FIORINI, relating to his CIA activities.

5) "The Dallas Morning News", Dallas, Texas, of 4/25/75, captioned "Famous Detective Retiring." This article reflects that Detective JIM LEAVELLE of the Dallas Police Department, to whom LEE HARVEY OSWALD was handcuffed at the time he was shot by JACK RUBY was retiring from the Dallas Police Department.

6) "The Dallas Times Herald", Dallas, Texas, of 4/25/75, captioned "Officer retiring-Photo with Oswald gave Leavelle fame, no fortune." This article refers to the retirement of Detective JIM R. LEAVELLE of the Dallas Police Department.

7) "The Dallas Times Herald", Dallas, Texas, of 4/30/75, captioned "RUBY 'unwitting' killer?-Friend ends 11-year silence on relationship." This article contains comments of EDWARD J. PULLMAN, a North Dallas psychological counselor and hypnotherapist who claimed a one year friendship with JACK RUBY immediately prior to the assassination.

8) "The Dallas Morning News", Dallas, Texas, of 5/3/75, captioned "Police Queried About CIA Role in JFK Slaying." This article indicates that ROBERT OLSEN, an investigator for "The Rockefeller Commission" had questioned Dallas Police Sergeant DAVID HARKNESS concerning three men photographed in Dealey Plaza on 11/22/63.

9) "The Dallas Morning News", Dallas, Texas, of 5/7/75, captioned "Panel Said Not Pressing To Get 3 Men's Identity." This article states that the "The Rockefeller Commission" is not making serious effort to learn the identities of the three men escorted by Dallas Police through Dealey Plaza soon after the assassination.

10) "The Dallas Morning News", Dallas, Texas, of 5/8/75, captioned "FBI Finds 6 of 7 Disputed Photos." This article states that the FBI has located six of seven photographs or negatives of three unidentified men being escorted by Dallas Police through Dealey Plaza soon after the assassination.

11) "The Dallas Times Herald", Dallas, Texas, of 5/8/75, captioned "Castro denies role in death of JFK."

12) "The Dallas Times Herald", Dallas, Texas, of 5/10/75, captioned "Soviet allegedly listed Oswald as 'abnormal'." This article indicates CBS correspondent DAN SCHORR had stated Soviet Secret Police files on LEE HARVEY OSWALD were brought to United States by defecting KGB Agent Lieutenant Colonel YURI NOSENKO, approximately ten weeks after the assassination and that they reflect the Soviets considered OSWALD unfit to carry out any mission.

13) "The Dallas Morning News", Dallas, Texas, of 5/16/75, captioned "Oswald on Payroll?-CIA Reportedly Tied With Murder." This article indicates "The Rockefeller Commission had been supplied with written information from W. R. MORRIS of Loretta, Tennessee to the effect that OSWALD was on the CIA payroll when President KENNEDY was assassinated.

14) "The Dallas Morning News", Dallas, Texas, of 5/16/75, captioned "Former Deputy Sheriff, Craig, Found Shot to Death." This article reflects former Dallas County Sheriff ROGER DEAN CRAIG had apparently commited suicide. This article states CRAIG was individual who said he saw LEE HARVEY OSWALD running west down Elm Street from the Texas School Book Depository about 15 minutes after the assassination and get into a station wagon and that he heard shots fired from two different rifles. Neither of these statements were ever substantiated.

15) "The Dallas Morning News", Dallas, Texas, of 5/18/75, captioned "Warren Paper Reveals Probe of Oswald-FBI Report." This article relates that "The Warren Commission" discussed a report that LEE HARVEY

OSWALD had worked as an FBI under cover Agent for more than a year before the assassination.

16) "The Dallas Times Herald", Dallas, Texas, of 5/18/75, captioned "Alleged Oswald-FBI tie aired." This article reflects that "The Warren Commission" discussed the report that LEE HARVEY OSWALD had worked for the FBI as an under cover Agent for more than a year before the assassination without substantiating such report.

(Mount Clipping in Space Below)

2nd JFK Probe — Gains Support

By EARL GOLZ

Rep. Henry Gonzalez of San Antonio said here Friday that within the past week more than 20 fellow congressmen have "expressed an interest and a desire to pursue" a reopening of the investigation of the assassination of President John F. Kennedy.

Dr. Robert Joling, president of the American Academy of Forensic Sciences, predicted before he appeared on the same panel discussion with Gonzalez that within six months "enough political clout" could be mustered to reopen probes of the 1963 assassination in Dallas and others since then.

Joling said that if "half a dozen congressmen and two or three senators would get behind it, it would be a very short time" until investigations are launched into President Kennedy's death, the assassinations of Sen. Robert Kennedy and Dr. Martin Luther King and the attempted assassination of Alabama Gov. George Wallace.

Gonzalez said public sentiment "is picking up . . . for some national body other than the presidential commission which was first appointed" to take a closer look at the JFK assassination.

He reported Friday that the presidntial panel on CIA actities is investigating "the possibility that the CIA withheld information from the Warren Commission about a plot to assassinate Cuban Premier Fidel Castro."

Gonzalez and Joling appeared with former New York Congressmen Allard Lowenstein on a symposium on assassinations at the Underwood Law Library on the campus of Southern Methodist University.

Lowenstein, who has traveled around the country speaking about the 1968 assassination of Sen. Robert Kennedy, asserts that as many as 10 bullets may have been fired when RFK was killed at close range in the pantry of a Los Angeles hotel. Sirhan Sirhan, the man convicted of shooting RFK, had a gun that could shoot only eight bullets. Only seven bullets were recovered.

Joling claimed every member of the 1,500-member American Academy of Forensic Sciences who has "thoroughly studied it (the JFK assassination) would say the Warren Commission is wrong." He speculates that as many as seven bullets could have been fired on Nov. 22, 1963, in Dealey Plaza and that there is a "reasonable possibility" that only one bullet came from the sixth floor window of the Texas Book Depository.

That bullet, from the perch where the Warren Commission concluded Lee Harvey Oswald fired all three shots that it totaled, could have struck then Texas Gov. John Connally, Joling said. If it did, he asserted, it did not first pass through the neck of President Kennedy as the Warren Commission claimed.

From three-fourths of a second to one and a half seconds elapsed between the time Kennedy and Connally were shot, Joling said. The bolt action rifle that Oswald was supposed to have used can't be fired any faster than 2.3 seconds. The Warren Commission concluded that its total of three shots were fired in 6.5 seconds, he said.

Although little, if any, of the information presented during the symposium was new about the JFK assassination, none of about 300 mostly students who were there indicated the probe should not be reopened when a poll was taken. They voted the same way about the RFK assassination.

Gonzalez has asked the House of Representatives to name a 7-member committee to investigate the three assassinations and the attempt on the life of Wallace. He has said the committee must determine if JFK's death "was in retaliation to the Bay of Pigs invasion against Cuba, and what connection did Oswald's murder, Jack Ruby, also dead, have with all of this."

The Associated Press re-

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The Dallas Morning News"
Dallas, Texas

Page 20 A

Date: 4-20-75
Editions
Authors
Editor: Tom J. Simmons
Titles

Character
or
Classification:
Submitting Office: DALLAS

☐ Being Investigated

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Warren Paper Reveals Probe of Oswald-FBI Report

WASHINGTON (AP) — The Warren Commission discussed a report that Lee Harvey Oswald had worked as an FBI undercover agent for more than a year before the assassination of President John F. Kennedy, according to a recently declassified commission transcript.

Members of the commission, including the late Chief Justice Earl Warren and President Ford, who was then a Michigan congressman, discussed the report at a closed session on Jan. 22, 1964.

THE TRANSCRIPT remained classified top secret for 11 years until released to Harold Weisberg, an author who had filed suit under the Freedom of Information Act. Weisberg has written numerous books and articles criticizing the Warren Commission investigation and its conclusion that Oswald, acting alone, shot and killed Kennedy in Dallas, Nov. 22, 1963.

A copy of the transcript was obtained by the Associated Press.

At the start of the meeting, J. Lee Rankin, general counsel of the commission, said he had been told by Waggoner Carr, Texas attorney general, that "the word had come out . . . that Oswald was acting as an FBI undercover agent and that they had the information of his badge which was given as number 179, and that he was being paid $200 a month from September of 1962 up through the time of the assassination."

Rankin said he had talked to Henry Wade, Dallas district attorney, who told him the source of the report was a member of the press.

"There is a denial of this in one of these FBI records, as you know," interjected the late Rep. Hale Boggs, D-La., another commission member.

"It is something that would be very difficult to prove out," answered Rankin. "There was events in connections with this that are curious, in that they might make it possible to check some of it out in time. I assume that the FBI records would never show it, and if it is true, and of course, we don't know. But we thought you should have the information."

LATER, RANKIN commented that he and Warren had discussed the report and "we said if that was true and it ever came out and could be established, then you would have people think that there was a conspiracy to accomplish this assassination, that nothing the commission did or anybody could dissipate."

The late Allen Dulles, former director of the Central Intelligence Agency and a member of the Warren Commission, questioned why the FBI would hire Oswald as an undercover agent.

"WHAT WAS THE ostensible mission?" asked Dulles. "I mean, when they hire someone they hire somebody for a purpose . . . Was it to penetrate the Fair Play for Cuba Committee? That is the only thing I can think of where they might have used this man . . . You wouldn't pick up a fellow like this to do an agent's job."

An unidentified speaker brought up the tension between the commission and the FBI and particularly its director, the late J. Edgar Hoover.

"That is somewhat an issue in this case, and I suppose you are all aware of it," said the speaker. Weisberg said that, in this transcript, Rankin is sometimes identified by name when he speaks and sometimes not. Warren never is, he said.

He speculated that the speaker in this case was Rankin.

"THAT IS that the FBI is very explicit that Oswald is the assassin or was the assassin, and they are very explicit that there was no conspiracy, and they are also saying in the same place that they are continuing their investigation," the speaker said.

"Now in my experience of almost nine years," he continued, "it is hard to get them to say when you think you have got a case tight enough to convict somebody that that is the person that committed the crime. In my experience with the FBI they don't do that . . . Why are they so eager to make both of those conclusions, both in the original report and in their experimental report, which is such a departure. Now, that is just circumstantial evidence and it doesn't prove anything about this, but it raises questions."

(Indicate page, name of newspaper, city and state.)
"The Dallas Morning News"
Dallas, Texas

Page 20A

Date: 5-18-75
Edition:
Author:
Editor: Tom J. Simmons
Title:

Character:
or
Classification:
Submitting Office: DALLAS

☐ Being Investigated

MAY 16 1975

Alleged Oswald-FBI tie aired

By DONALD M. ROTHBERG

WASHINGTON (AP) — The Warren Commission discussed a report that Lee Harvey Oswald had worked as an FBI undercover agent for more than a year before the assassination of President John F. Kennedy, according to a recently declassified commission transcript.

Members of the commission, including the late Chief Justice Earl Warren and President Ford, who was then a Michigan congressman, discussed the report at a closed session on Jan. 22, 1964.

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A copy of the transcript was obtained by The Associated Press.

At the start of the meeting, J. Lee Rankin, general counsel of the commission, said he had been told by Waggoner Carr, Texas attorney general, that "the word had come out ... that Oswald was acting as an FBI undercover agent and that they had the information of his badge which was given as number 179, and that he was being paid $200 a month from September of 1962 up through the time of the assassination."

Carr acknowledged going to the Warren Commission with the information on Oswald and said he recommended "they explore and investigate this rumor thoroughly. I emphasized (to them) that so far as we were concerned, there was no concrete evidence (to back up the reports)."

Rankin said he had talked to Henry Wade, Dallas district attorney, who told him the source of the report was a member of the press.

"There is a denial of this in one of these FBI records, as you know," interjected the late Rep. Hale Boggs, D-La., another commission member.

Later, Rankin commented that he and Warren had discussed the report and "we said if that was true and it ever came out and could be established, then you would have people think that there was a conspiracy to accomplish this assassination, that nothing the commission did or anybody could dissipate."

After further discussion the men spoke of their fear that the FBI was trying to maneuver them simply into endorsing the FBI probe and described how the FBI probably wanted the probe handled.

One unidentified speaker said, "They (the FBI) would like to have us fold up and quit."

"This closes the case, you see, don't you see," said Boggs.

"Yes, I see that" said Dulles.

"They found the man" said Rankin. "There is nothing is the end of it."

The Dallas Times Herald
Dallas, Texas
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Date: 5-18-75
Edition:
Author:
Editor: Kenneth P. Jo
Title:
Character:
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Classification:
Submitting Office: Dall
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Former Deputy Sheriff, Craig, Found Shot to Death

By JOHN RUTLEDGE

Former Deputy Sheriff Roger Dean Craig, 39, was found shot to death at 3:30 p.m. Thursday in his father's home at 10524 Luna Road.

Homicide investigator Robert Garza said a rifle and a note were found near the body. Garza said the wound in Craig's upper right chest apparently was self-inflicted.

Craig had been embroiled in controversy surrounding assassination of President Kennedy.

A DEPUTY at the time of the assassination, Craig said he saw Lee Harvey Oswald running west down Elm Street from the Texas School Book Depository about 15 minutes after the assassination. He said Oswald then got into a station wagon that had pulled up alongside of him.

He also said he heard the shots fired at the presidential motorcade and that because of their close proximity, the shots had to have been fired from two different rifles.

Craig had recently appeared on radio talk shows expressing his views on the assassination and his testimony appears in the Warren Report.

Patrolmen P. L. Anderson and R. W. Wood said Craig's father, Kristel Craig, discovered the body in a back bedroom in their 1-story frame home at 3:30 p.m. The father had talked to the victim 30 minutes earlier, but left the house to work on a lawn mower in the back yard.

POLICE SAID Craig said in the note he was sorry for what he had to do, but that he could not stand the pain.

Anderson and Wood said Craig's father told them Craig had been taking pain-killing medication for injuries in a car wreck two years ago and for a gunshot wound in the shoulder in Waxahachie six months ago.

At that time, Craig reported to Waxahachie police a stranger appeared at the door of a house at which Craig was waiting for a woman friend, and shot him with a shotgun when Craig answered a knock at the door.

Craig was under the supervision of Sheriff Bill Decker at the time of the assassination. He left the department shortly after the assassination.

Craig was named Man of the Year by the sheriff's office in 1960 for his work in aid in helping to capture an international jewel thief.

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Dallas, Texas

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Date: 5-16-

Edition:

Author:

Editor: Tom J. Simmon

Title:

Character:
or
Classification:

Submitting Office: DALLAS

☐ Being Investigated

1075

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Oswald on Payroll?

CIA Reportedly Tied With Murder

By EARL GOLZ

The Rockefeller Commission investigating the CIA has been supplied with written information that Lee Harvey Oswald allegedly was on the CIA payroll when President John F. Kennedy was assassinated in Dallas, The Dallas News has learned.

Author W. R. Morris of Loretta, Tenn., asserts the assassination was financed by the CIA which paid a Mafia boss to recruit at least three "triggermen" to shoot at Kennedy in a "crossfire."

Morris has given the Rockefeller Commission the names of two of the gunmen, one of whom is now dead, and of a man whom he said "organized" the shooting.

Most of the information came from a former CIA operative who claimed he had worked with Oswald. Oswald's CIA number was 107 and he was paid $400 a month plus traveling expenses from the time he returned to this country from Russia in June of 1962, Morris said.

MORRIS SAID he met with the CIA operative early in the morning on Nov. 24, 1966, at Oswald's graveside at Rose Hill Burial Park in Fort Worth.

Morris, who had been assigned by the Associated Press to interview people who visited the grave on the third anniversary of Oswald's death, said he surprised the CIA agent as he was placing a vase of yellow mums and a note on the Oswald headstone.

The man, whom Morris refuses to publicly identify, has since left the CIA and is now in private law practice in California.

Robert B. Olsen, senior counsel for the Rockefeller Commission, confirmed that Morris was "invited" to provide the commission with a written account of his story in the form of a sworn affidavit, "but for his purposes apparently he chose not to."

"He didn't send an affidavit," Olsen said. "He sent a statement—unsigned, unsworn."

Asked whether Morris' story may be receiving serious attention from the commission, Olsen suggested "you obtain from him a copy of the statement that he gave to us and evaluate it for yourself."

MORRIS, WHO WROTE the popular book "The Twelfth of August" in 1971 that was made into the movie "Walking Tall," disputed Olsen's comment that his statement was not a sworn affidavit.

He said the cover letter was notarized, although "every page wasn't certified."

Morris also disagreed with Olsen's statement that Morris "wrote to us that he had information that we felt he should have."

The author said he would have never volunteered to send the Rockefeller Commission the information because he doesn't have "any faith at all in the Rockefeller Commission as far as digging into the Kennedy assassination" because "they already got their minds made up" that the CIA was not involved and it wasn't a conspiracy.

HE SAID he was contacted by letter by the commission which apparently learned he was writing a book linking Oswald and the assassination to the CIA.

He said he sent the statement to the commission May 1 and was subsequently contacted by Olsen by telephone May 9. Olsen said "I know of no communication by telephone from the commission to Mr. Morris."

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Dallas, Texas
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Date: 5-16-75
Edition:
Author:
Editor: Tom J. Simmon
Title:

Character or Classification:
Submitting Office: DALLAS
☐ Being Investigated

FILED ____ RECORDED ____
INDEXED ____ FILED ____
MAY 16 1975

Morris said the CIA agent was "shocked when he saw me" at Oswald's grave. He pleaded with him not to print anything about the incident, but Morris told him he would because the scene was so unusual. However, he didn't identify the man or note any CIA ties, he said.

THE MAN WAS thankful he didn't print a description of him and "later on he and I got to be good friends," Morris said. He showed Morris his CIA credentials and said he was quitting the agency because it was "ruthless and dangerous . . . and nothing but hired killers on the taxpayers' payroll," Morris said.

Mrs. Marguerite Oswald, Oswald's mother, said the same man sends flowers for her son's grave on each anniversary of his death.

Kennedy was a CIA target, Morris claims, because he "was in the process of abolishing the CIA. He said the CIA had blundered the Bay of Pigs invasion" of Cuba.

"The CIA had reached the point I feel where they thought it was either going to be Kennedy or us (CIA)," he said.

The Mafia was a ready recruiter for assassins, he asserted, because ofunprecedented presure being placed on organized crime by a Justice Department directed by Atty. Gen. Robert Kennedy.

(Mount Clipping in Space Below)

Soviet allegedly listed Oswald as 'abnormal'

WASHINGTON (AP) — According to Soviet secret police files, Lee Harvey Oswald was considered mentally abnormal and possibly an American "sleeper" agent, CBS correspondent Dan Schorr reported Friday.

The files on the accused assassin of President John F. Kennedy were allegedly brought to the United States by defecting KGB agent Lt. Col. Yuri Nosenko 10 weeks after the assassination on Nov. 22, 1963, Schorr reported on the CBS Evening News.

Schorr said an FBI interrogation of Nosenko, classified for the past 11 years, was available to the Warren Commission during its probe of the assassination, but said it was not cited in testimony by then-CIA Director John McCone nor by Richard Helms, then a deputy director of the CIA.

Nosenko told the Americans that the Soviet secret police considered Oswald unfit to carry out any mission, Schorr said.

(Indicate page, name of newspaper, city and state.)
"The Dallas Times Herald"
Dallas, Texas

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Date: 5-12-75
Edition:
Author:
Editor: Kenneth P. Johr.
Title:

Character:
or
Classification:
Submitting Office: Dallas

☐ Being Investigated

SEARCHED ____ INDEXED ____
SERIALIZED ____ FILED ____

MAY 12 1975

FBI - DALLAS

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(Indicate page, name of newspaper, city and state.)
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Castro denies role in death of JFK

HAVANA (UPI) — Cuban Premier Fidel Castro denied Wednesday night that his government had been in any way involved in the assassination of President John F. Kennedy. But he said there had been CIA attempts to assassinate Cuban leaders, himself included.

"It is not within the tradition of the socialist revolution to physically eliminate its enemies," he told a news [illegible] his meeting with Sen. after Washington lifts its trade embargo. "We have another concept of things.

"As a matter of principle we are against this tactic and it would have been stupid to be responsible for such a serious act. It would be absurd, stupid, irresponsible, crazy and besides very dangerous for Cuba.

"And besides, Kennedy was an adversary we knew. We did not think [illegible] beginning to understand the error of U.S. policy against Cuba when he was killed. Perhaps Kennedy himself would have taken steps toward changing that policy."

Possibility of Cuban involvement in the Kennedy assassination has been hinted at in Washington where the Senate Intelligence Investigation Committee and the commission headed by Vice President Nelson Rockefeller have

5-8-3

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Panel Said Not Pressing To Get 3 Men's Identity

By EARL GOLZ

The Rockefeller Commission apparently is not making a serious effort at learning the identity of three men who were being escorted by Dallas police through Dealey Plaza soon after the assassination of President John F. Kennedy.

Most of the law authorities who had contact with the three shabbily dressed men on Nov. 22, 1963, said no one from the Rockefeller Commission has approached them.

The commission, which is investigating the CIA, showed an active interest in the trio last month. Critics of the Warren Report's conclusions about the assassination had speculated that photographs of two of the men resembled former CIA operatives and convicted Watergate burglars E. Howard Hunt and Frank Sturgis.

Hunt and Sturgis have both denied they are the men in the photos.

Persons who said they have not been interviewed by Rockefeller Commission investigators are former Dallas Police Capt. Will Fritz, Dallas County deputy sheriff Harold E. Elkins and former police officer Billy L. Bass.

Bass was one of two policemen photographed escorting the three men through the plaza after they were found in a car of a freight train south of the triple underpass.

The men were left with Elkins who turned them over to Fritz, then head of the homicide and robbery branch in the police department.

Dallas Police Sgt. David Harkness was contacted by telephone last month by Robert Olsen, a Rockefeller Commission investigator. Harkness was on his motorcycle in Dealey Plaza when the three men were photographed.

Harkness said he "couldn't help him on that" (the identity of the three men). He said he gave Olsen the names of Bass and Marvin L. Wise, the two police officers who escorted the trio through the plaza. Wise was not available for comment Tuesday.

Olsen has told The News that he has talked to several Dallas policemen who were in the plaza area on Nov. 22, 1963, but he has refused to say to whom or to discuss his investigation.

"All I can tell you is that the commission is limiting its investigation to matters of alleged CIA involvement," Olsen said.

A report summing up all the commission's investigations is due to be released June 6.

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"The Dallas Morning News"
Dallas, Texas

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Date: 5-2-75
Edition:
Author:
Editor: Tom J. Simmons
Title:

Character:
or
Classification:
Submitting Office: DALLAS

☐ Being Investigated

FILED ____ RECKED
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MAY 12 1975

FBI-DALLAS

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FBI Finds 6 of 7 Disputed Photos

By EARL GOLZ

The Federal Bureau of Investigation by Wednesday had rounded up six of seven known photographs or negatives of three unidentified men being escorted by police through Dealey Plaza soon after President John F. Kennedy was shot there.

The FBI has been enlisted to help investigate the photographic controversy by the Rockefeller Commission, which is investigating the CIA, according to J. Gordon Shanklin, special agent in charge of the FBI here.

An FBI photography expert from Washington, D.C., was here Wednesday to try to establish the height and other physical characteristics of the three men in the photos, Shanklin said.

Assassination conspiracy theorists have speculated in recent months that photographs of two of the three men showed close resemblances to former CIA operatives and convicted Watergate burglars E. Howard Hunt and Frank Sturgis. Hunt and Sturgis have both denied they are the men in the photos.

Investigators for the Rockefeller Commission one month ago began questioning Dallas police officers who were in Dealey Plaza when the trio was being marched toward the county jail. After quizzing Sgt. David Harkness, who was on a motorcycle in the plaza, the investigators apparently stopped probing further until the FBI went after the photos.

Portions of the Warren Report indicate the names of the three men were not officially recorded by the Dallas police. They apparently were released and not held overnight in jail.

agent last week appeared [illegible] News seeking three [illegible] film shot Nov. 22, [illegible] late Jack Beers of the [illegible] dressed men.

The negatives had been rented to Stern, a German magazine, and have not yet been returned to Beers' family. Due back last Feb. 15 after three months in possession of Stern, they were to be applied to a computer that had used photographic evidence to track down Nazi war criminals.

The FBI agent took contact prints made from Beers' film, but they aren't as high a quality as the negatives themselves.

The FBI also had acquired three other negatives of photos showing the three men. These photos had been taken by the wire services, the agent told photographers at The News.

The source of the seventh photograph had not been located by Wednesday.

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Dallas, Texas

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Date: 5-8-75
Edition:
Author:
Editor: Tom J. Simmons
Title:

Character:
or
Classification:
Submitting Office: DALLAS

☐ Being Investigated

[illegible] RECORDED [illegible] INDEXED
[illegible] FILED

MAY 12 1975

FBI - DALLAS

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Police Queried About CIA Role in JFK Slaying

By EARL GOLZ

The Rockefeller Commission investigating the CIA has questioned several Dallas policemen about three unidentified men being escorted through Dealey Plaza soon after the assassination of President John F. Kennedy, The Dallas News learned Friday.

Robert Olsen, an investigator for the commission, told The News he has talked to several Dallas policemen who were in the plaza area on Nov. 22, 1963.

Comedian Dick Gregory and other critics of the Warren Report's conclusions about the assassination have asked whether photographs of two of the men are convicted Watergate burglars E. Howard Hunt and Frank Sturgis. Both are former CIA operatives. Hunt and Sturgis have denied they are in the photograph.

Olsen refused to discuss the inquiries he made to Dallas policemen last month.

"All I can tell you is that the commission is limiting its investigation to matters of alleged CIA involvement," Olsen said in a telephone interview from Washington. "And beyond that, I guess you will have to wait until our report comes out (June 6)."

Asked whether the commission is still actively investigating the three unidentified men, Olsen said he was "not at liberty to discuss what is going on in the activities of the commission on that score.

"There have been allegations, as you know, that these photographs represented Howard Hunt and Frank Sturgis . . . There's been a good deal of publicity about that particular accusation."

Dallas Police Sgt. David Harkness was contacted by Olsen by telephone April 1. Harkness was on his motorcycle in Dealey Plaza when the three men were photographed.

"He was interested in those three people that were in that picture," Harkness said. "But I couldn't help him on that."

Harkness said he gave Olsen the names of Billy L. Bass and Marvin L. Wise, the two officers photographed escorting the trio. Neither Bass, who now works for the Dallas County district attorney's office, nor Wise could be reached Friday to determine whether Olsen spoke to them.

Harkness said he thought Olsen was involved in "a very poor way of investigating" by telephone. He said he asked Olsen if he had read the Warren Report's interview with him and Olsen said he "didn't have time."

United Press International on March 30 quoted reliable sources as stating the Rockefeller Commission in its final report, will "have to speak to those recurring allegations of CIA involvement in the Kennedy assassination, and it could not do that without looking into it."

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"The Dallas Morning News"
Dallas, Texas

Page FRONT

Date: 5-3-75
Edition:
Author:
Editor: Tom J. Simmons
Title:

Character:
or
Classification:
Submitting Office: DALLAS

[ ] Being Investigated

SEARCHED ____ INDEXED ____
SERIALIZED ____ FILED ____

MAY 1 1975

FBI - DALLAS

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uby 'unwitting' killer?

Friend ends 11-year silence on relationship

LL SLOAN
Writer

k Ruby was obsessed a fanatical devotion to dent John F. Kennedy could not knowingly have n part in any conspiracy the time Kennedy was dered in Dallas, one of by's closest friends ntains.

Edward J. Pullman, a North llas psychological counselor d hypnotherapist, broke an -year silence to tell The mes Herald about his one-ar friendship with the slayer accused presidential assas-in Lee Harvey Oswald.

"Jack loved President Kennedy and he was very motionally disturbed by his death," Pullman said. "He had kind of father-fixation on the President.

"He called me the night after Kennedy was killed and he was crying. He said, 'The thing that bothers me most is that Jackie (Kennedy) will have to come down here and face that little s.o.b at the trial.'"

In early 1964, Pullman was questioned by two attorneys for the Warren Commission, but "they didn't seem interested" in what he had to say.

If Ruby was a party to a conspiracy to "shut Oswald' mouth," as some assassination buffs have suggested, he was an unwitting party, Pullman believes.

"It's conceivable that somebody could have used Jack because he was such a well-known bothead.

"For this reason, and because of some of the new evidence that has turned up, I'd like to see the assassination investigation reopened."

Pullman said he first became aware of how strong Ruby's feelings were about Kennedy one evening when he and his wife were visiting Ruby's Carousel Club.

"There was a comic on stage who started doing an unflattering impersonation of President Kennedy," Pullman recalled. "When Jack heard what was going on, he really blew his stack.

"He ran up on the stage and grabbed the guy and threatened to throw him out of the place if he ever did the act again."

In November, 1963—just two weeks before the assassination—Pullman and Ruby both attended a Texas Products Show at Market Hall, where Pullman witnessed another example of Ruby's quick temper where JFK was concerned.

"H. L. Hunt (the late multi-millionaire oilman) was at the show, passing out literature that was highly critical of Kennedy. Jack came over to me, boiling mad and waving one of Hunt's pamphlets.

"'I'm going to write my congressman about this,' he said. 'People shouldn't be saying things like this about the President of the United States.'"

Not only were Pullman and his wife occasional guests at

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"The Dallas Times Herald"
Dallas, Texas

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Date: 4-30-75
Edition:
Author:
Editor: Kenneth P. Johns
Title:

Character:
or
Classification:
Submitting Office: Dallas

☐ Being Investigated

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—Staff Photo by Kurt Wallace

ED PULLMAN met Jack Ruby one year before Ruby shot and killed Lee Harvey Oswald in the basement of the Dallas police station. They met at an inventors' show where Ruby was demonstrating an invention of his, a "twist" exercise board. Pullman is holding one of the rare boards.

Ruby's nightclub, but also frequently entertained Ruby at their home.

"We would get some bagels and lox and invite Jack over for breakfast," Pullman said.

Pullman believes it was "pure accident" that Ruby happened to confront Oswald on the morning of Nov. 24, 1963, as Dallas police *were* attempting to transfer the accused assassin from the police station to the county jail.

"Jack was on his way to the Western Union office (just down Main Street from the police station) to wire some money to somebody; and he just stopped in at the station to see some of 'the boys.' All the cops were his friends.

"Jack always carried a pistol with him because he was accustomed to carrying large sums of cash around. I saw the gun he shot Oswald with many times.

"When he suddenly found himself face-to-face with Oswald, Jack couldn't control himself. He pulled out the gun and shot him, but there wasn't anything premeditated about it," Pullman said.

"I've never been able to buy the story that Jack could die so suddenly from cancer. He was a big health nut, who ate wheat germ with his milk and all that. He was always tough, always ready for a fight. I've seen him throw people down the stairs.

"It just doesn't seem logical that he could get sick and die like that."

(Mount Clipping in Space Below)

Officer retiring

Photo with Oswald gave Leavelle fame, no fortune

By GERRY FORGE
Staff Writer

"Money is the reason all the new evidence is turning up in the Kennedy assassination."

Detective Jim R. Leavelle, a veteran policeman with his own special place in history, was considering questions about those tragic days in November 1963.

"Everyone seems to be coming up with something that has not been said or shown before," he said.

"Take that guy (Dr. Robert Jolling, president of the American Academy of Forensic Sciences) SMU paid to come out there and speak," said Leavelle. "He was paid to say the assassination was a conspiracy, but have they offered someone who supports the Warren Commission to speak?"

A member of the Dallas Police Department 25 years, Leavelle is retiring. The announcement attracted uncommon interest because his face has become known worldwide.

It was Leavelle who was handcuffed to Kennedy's accused assassin, Lee Harvey Oswald, that Sunday morning when Jack Ruby fired the shot seen by millions of horrified television viewers.

Bob Jackson, at the time a photographer for The Times Herald, captured a Pulitzer Prize for his photo of the event, a photo made all the more memorable for Leavelle's shocked expression as Ruby's bullet hit Oswald.

Today, more than 11 years later, Leavelle recalls that morning's event as "just another crime."

"People asked me if I was scared," he said. "Actually, it happened so fast I didn't have time to think — it did not occur to me that I could have been killed until the next day."

Reflecting on his years enforcing the law, he said there was "no joy" in sending people to prison.

"I have a compassion for the younger generation," said Leavelle. "I try to bend over backwards for them."

And because of this compassion, he said, many youthful offenders have

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(Indicate page, name of newspaper, city and state.)
"The Dallas Times Herald"
Dallas, Texas

Page 1C

Date: 4-25-75
Edition:
Author:
Editor: Kenneth P. Johns
Title:

Character:
or
Classification:
Submitting Office: Dallas

☐ Being Investigated

(Mount Clipping in Space Below)

Famous Detective Retiring

By JAMES EWELL

Jim Leavelle is leaving the Dallas police force after 25 years—the last 11 spent trying to step off the center stage of history.

Leavelle is the white-suited detective millions of television viewers saw that Sunday when Jack Ruby rushed onto the screen to shoot Lee Harvey Oswald.

Ever since, Leavelle has had constant questions thrown at him about that November day in 1963, and dozens of souvenir hunters clamoring for his suit, the LBJ hat and the boots he was wearing. He's even been asked for locks of his hair.

The suit ("the only Neiman-Marcus suit I ever owned") has not been worn by Leavelle since that day and remains neatly pressed in a closet.

A California man who owns all of Houdini's irons still wants the pair of handcuffs that locked Leavelle and Oswald together as they stepped into the City Hall basement and into Ruby's path.

None of these possessions was ever sold.

Through it all, the 54-year-old detective insists his life wasn't drastically changed.

"I never think about it, really, unless someone else brings it up," Leavelle confided.



Jim Leavelle . . . "It was a Neiman-Marcus suit, the only one I've ever had . . . my dress-up suit."

One thing still vividly recalled by Leavelle was the actions by the other detective also escorting Oswald. L. C. Graves, shown in the picture on Oswald's left, prevented more bloodshed, Leavelle is certain, by hooking his thumb between the hammer and firing pin of Ruby's revolver.

"In all that confusion, I could see Ruby's hand still pumping the gun but because L. C. had his thumb hooked in front of the hammer it couldn't fire. Ruby was definitely trying to keep firing."

A detective for 20 of his 25 years on the force, and experienced in homicide investigations, Leavelle scoffed at new demands for a reopening of the investigation of the assassination.

Any new probe, he declared, would waste tax money and benefit the fast-buck artists capitalizing on the nation's emotions.

"Let me tell you this: we have gained convictions on people with less than half the evidence we had in this case."

(Indicate page, name of newspaper, city and state.)

"The Dallas Morning News"
Dallas, Texas

Page 1 Cont'd

Date: 4-25-65

Edition:

Author:

Editor: Tom J. Simmons

Title:

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Classification:

Submitting Office: DALLAS

☐ Being Investigated



—Dallas News Staff Photos.

Leavelle's gray suit made him stand out in this famous picture by the late News photographer Jack Beers.

RELL
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(Mount Clipping in Space Below)

Stole Castro files

Sturgis admits cloak-dagger role

By PAUL MESKIL
New York News

"I was a spy," Frank Sturgis admits.

"I was involved in assassination plots and conspiracies to overthrow several foreign governments, including Cuba, Panama, Guatemala, the Dominican Republic and Haiti.

"I smuggled arms and men into Cuba — for Castro and against Castro. I broke into the intelligence files of the Cuban Army and Air Force. I stole and photographed hundreds of secret documents.

"That's what spies do.

"I also broke into foreign consulates and business offices in Cuba, for the purpose of obtaining information, and into an import-export office in Caracas, Venezuela, that was a front for the KGB (Sovie Secret Service)."

Sturgs was a hired operative of the Central Inteligence Agency for at least a decade. Maybe he still is, though his cover was blown forever by the notoriety he received as a Watergate burglar. He constructed and controlled an espionage network in Cuba that is still functioning despite frantic efforts by Castro security forces and the KGB to destroy it.

Sturgis was convicted with E. Howard Hunt for their part in the Watergate breakin.

Though he was only a bit player in the Watergate drama, Sturgis is a real life James Bond whose exploits rival those of any fictional spy. Interviewed at the office of his Miami lawyer, Ellis Rubin, and at other places in New York and Florida, he candidly revealed many details of his colorful career as a war hero, secrets-staller, gunrunner,

See STURGIS on Page 16



Frank Sturgis . . . real life James Bond

(Indicate page, name of newspaper, city and state.)
"The Dallas Times Herald"
Dallas, Texas

Page FRONT

Date: 4-21-75
Edition:
Author:
Editor: Kenneth P. John
Title:

Character:
or
Classification:
Submitting Office: Dallas

☐ Being Investigated

Sturgis admits spy role

Continued From Page 1

guerrilla fighter and professional plotter.

Asked if he also had been an assassin, he politely changed the subject. Some things he will not talk about.

A stocky, iron-jawed man who looks much younger than his 50 years, he was born Frank Angelo Fiorini in Norfolk, Va. He joined the U.S. Marine Corps at the start of World War II and fought through the Pacific with the famed First Raider Battalion. After the war, he served in the Air Force, Army and Navy Reserve.

He had the perfect training for a secret agent. The Marine Corps taught him judo, knife-fighting and jungle warfare techniques. The Air Force taught him to fly a plane and the Navy Reserve trained him to handle small, fast ships.

The Army completed this education. During a hitch in Germany, he was assigned to a security unit that handled top-secret reports from Allied intelligence agents all over Europe. This was his introduction to the dark world of espionage and intrigue.

In Berlin during the chilliest part of the cold war, he met his first real spy. She was a beautiful actress who also was an agent of Haganah, the secret army formed to defend the new state of Israel.

When he returned to civilian life, Frank became a Haganah courier — perhaps the only Roman Catholic in this group. In the 1950s, he went to Miami to visit an uncle who had married a Cuban exile. Her family was close to Carlos Prio, the Cuban president who was ousted in 1952 by a military coup led by Fulgencio Batista. Frank met Prio and other wealthy Cubans whose Miami mansions were not beds of anti-Batista intrigue. Some of them supplied financial support for a fiery young rebel, Fidel Castro, who was then living in Mexico.

Prio asked Frank to "go to Cuba, join Castro's army and let me know what he's doing. Frank accepted the assignment. He flew to Havana and with the help of a Cuban priest, he quickly located Castro's camp in the Sierra Maestra Mountains and volunteered his services.

"Fidel remembered me," he said. "We could understand each other. I spoke Italian, which is similar to Spanish, and he spoke some English. I offered to help train his troops, but he said, 'Frank, what I need is guns.'"

So Frank became a gunrunner. With money supplied by the Castro underground in Florida, he purchased thousands of rifles and other weapons from International Armament Corp. (Interarmco) of Alexandria, Va., the world's largest dealer in surplus arms. He then set up an elaborate land-sea-air smuggling network to get the guns and ammunition into Cuba.

After several months as a double agent, working for Prio and Castro, Frank became a triple agent. This time, he was recruited for the game of intelligence by a major league scout, Park F. Woolam, the State Department official then in charge of the U.S. Consulate in Santago de Cuba.

"Later, when the revolution was over, I received orders to go to Havana. Woolam told me who to contact in the American Embassy there." His new contacts, Frank said, were CIA agents, one of whom was the embassy's military attache.

Castrol immediately placed his most trusted officers in command of the Cuban military services. Major Fedro Diaz Lanz, a close friend of Frank's, became commander in chief of the Air Force and his brother, Marcos Diaz Lanz, became inspector general of that service.

Frank helped the Diaz Lanz brothers reorganize the air force and they make him their security and intelligence chief. He also became the officer in charge of inspecting and supervising all Cuban gambling casinos, which were owned and operated by American mobsters.

(Mount Clipping in Space Below)

JFK autopsy termed 'incompetent'

Two gunmen fired at motorcade, pathologist says

By BRYAN MARTIN
Staff Writer

A noted pathologist who said he is one of the few persons to see the autopsy reports on President John F. Kennedy has described the documents as "incompetent and unbelievable."

Dr. Cyril Wecht, Allegheny County, Pa., coroner, also revealed to a national television audience Thursday night that certain portions of the autopsy are missing.

Wecht, former U.S. Sen. Ralph Yarborough of Austin, a journalist and an attorney took part in an ABC television special to discuss the presidential assassination in Dallas on Nov. 22, 1963.

Saying he had conducted or supervised thousands of autopsies, Wecht criticized the post-mortem of Kennedy and said he personally has no doubt someone in addition to Lee Harvey Oswald was responsible for firing shots at the President's motorcade.

A Warren Commission empaneled to study the assassination found Oswald—who was killed two days later in the Dallas Police Department's basement—acted alone in slaying Kennedy.

But journalist Malcom Kildruff, who witnessed the assassination, and author Jim Bishop disputed Wecht and charged Oswald alone killed the President.

"There has been far too much mystery made of this," said Kildruff. "It was the act of a single deranged mind—Oswald."

The author of a book entitled "The Day Kennedy Was Shot," Bishop supported the Warren Commission's findings. But he said three shots were fired — the first missing, the second hitting Kennedy and the third striking Texas Gov. John Connally, who was riding in the presidential limousine.

The commission, according to the panelist, found one bullet entered Kennedy's neck, traveled up his throat and through the top of his forehead, emerging and striking Connally first above the right armpit, then his right wrist and finally lodging in his left thigh.

Yarborough, riding two cars behind the President, said he, too, heard three shots, but he believed some had been fired from in front of Kennedy and not from the Texas School Book Depository Building, where Oswald allegedly fired the shots that killed Kennedy.

"You don't smell gunpowder unless you are upwind from it, and it blows in your face," said Yarborough, who has urged the reopening of the investigation. He said he could not have smelled the gunpowder if the shots had been fired from behind the motorcade.

Also during the 90-minute telecast, a film shot by the late Abraham Zapruder was shown. The film of the assassination shows Kennedy's head jerking backward and to the left after he was shot. The movement, according to theories, indicates the shot was fired from in front of Kennedy and not from the rear.

(Indicate page, name of newspaper, city and state.)
"The Dallas Times Herald"
Dallas, Texas

Page 1B

Date: 3-28-75
Edition:
Author:
Editor: Kenneth P. John
Title:

Character:
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Submitting Office: Dallas

☐ Being Investigated

89-163
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APR 8 - 1975
FBI — DALLAS

(Mount Clipping in Space Below)

CIA, FBI need checks, Ervin says

Special congressional committee urged

Congress should set up a special committee to oversee the activities of the Central Intelligence Agency (CIA) and Federal Bureau of unvestigation (FBI), former U.S. Sen. Sam Ervin, D-N.C., said in Dallas Wednesday.

Speaking in the art forum series at Temple Shalom, Ervin said the congressional committees which presently oversee the highly sensitive agencies "have not performed their duties in a proper fashion."

He said the CIA is presently under the jurisdiction of the senior members of the House and Senate armed services committees, while the FBI is under the senior members of the House and Senate judiciary committees.

Ervin said it was obvious to him, through his experience as chairman of the special Senate Watergate investigation committee that the CIA and the FBI have not been properly monitored. He said pending legislation would specify the obligations of both agencies to a new special committee.

Ervin ranged over a wide variety of subjects in his talk before a capacity audience at the temple.

He quoted from poets, historians, playwrights and the Bible in making points on the Watergate "tragedy" and the present economic plight of the United States, and in explaining his stands on various controversial measures during his long tenure in the Senate.

He was asked why he thought former President Nixon did not burn the Watergate tapes.

"I have tried to find a satisfactory answer to that myself," Ervin said. He said he believed Nixon "had the most aggravated notion of the presidencey of any man who occupied the White House.



Former U.S. Sen. Sam Ervin ...
... asks stronger monitoring

(Indicate page, name of newspaper, city and state.)
"The Dallas Times Herald"
Dallas, Texas

Page 1C

Date: 1-17-75
Edition:
Author:
Editor: Kenneth P. John
Title:

Character:
or
Classification:
Submitting Office: Dallas

☐ Being Investigated

"I think he believed he was above the Constitution and the laws and he didn't believe the courts or the Congress could compel him to give them (the tapes) up," Ervin said.

He was also asked why he opposed passage of the Equal Rights Amendment which a number of women's groups have been seeking.

Ervin replied his main reason was "It's totally unnecessary." He drew a smattering of applause for that comment.

He went on to say the last five decisions of the U.S. Supreme Court dealing with laws on women's rights indicated the court would hold unconstitutional the statues of any state which drew an inequitable distinction between men and women.

Ervin also explained why he opposed consumer protection legislation to set up a federal consumer affairs bureaucracy.

Primarily, he said, this legislation did not clearly define "what is a consumer interest."

And he added, "I don't believe American businessmen sit up all night trying to figure out how to cheat and defraud the very people whose good will they depend on for survival."

Ervin said he did not favor President Ford's pardon of Nixon.

He said Ford explained he pardoned Nixon from any and all future Watergate allegations because he couldn't get a fair trial, because he had already suffered enough and because it was Ford's personal inclination to do so.

Ervin said the fair trial and suffering matters were for courts to decide, not the White House.

FBI

Date: 7/9/75

Transmit the following in _____ (Type in plaintext or code)

AIRTEL

Via _____ _____ (Priority)

TO: DIRECTOR, FBI (62-109060)

FROM: SAC, DALLAS (89-43)(P)

SUBJECT: ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY
DALLAS, TEXAS
11/22/63
MISCELLANEOUS - INFORMATION CONCERNING
OO: DALLAS

Re Buffalo airtel to Bureau, 6/26/75.

From a review of the interview with RICHARD MONROE MARGESON it does not appear he has furnished any information that requires additional investigation. He has stated he is certain that "TEX" was not LEE HARVEY OSWALD.

If the Bureau feels additional investigation is warranted, it would appear an inquiry could be made to locate employment records of individuals working in the Old Union Temple Building or of registrations available for the Olive Hotel, both Los Angeles, in an effort to identify "TEX."

It is the recommendation of Dallas that no further action be taken.

62-109060 - 7218

REC 27

EX-101

22 JUL 12 1975

(2) - Bureau
1 - Los Angeles (105-15823)(Info)
1 - New Orleans (89-69)(Info)
1 - Buffalo (62-1827)(Info)
2 - Dallas
RPG:tlp
(7)

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

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ALAN STEELMAN
5TH DISTRICT, TEXAS

COMMITTEES:
GOVERNMENT OPERATIONS
INTERIOR AND INSULAR AFFAIRS

Congress of the United States
House of Representatives
Washington, D.C. 20515

WASHINGTON OFFICE:
437 CANNON HOUSE OFFICE BUILDING
WASHINGTON, D.C. 20515
(202) 225-2231

DALLAS OFFICE:
1100 COMMERCE STREET, SUITE 9C60
DALLAS, TEXAS 75202
(214) 749-7277

JUN 25 1975

RECEIVED

JUL 17 1975

O.L.A.

June 11, 1975

Congressional Liaison
Department of Justice
Washington, D.C.

Dear Sir:

I have received the enclosed letter from Mr. Kenneth Shaddock of Dallas regarding the Kennedy assassination. I would appreciate having your comments on this matter which I may use in replying to him.

Thank you for your assistance in this matter.

Sincerely,

ALAN STEELMAN
Member of Congress
5th District, Texas

AS:bw
enclosure

EX-108

ENCLOSURE

98 62-109060-727

12 JUL 3 1975

THIS STATIONERY PRINTED ON PAPER MADE WITH RECYCLED FIBERS

Klondike Drive
Dallas, Texas 75228
May 28, 1975

Mr. Alan Steelman
1100 Commerce St.
Dallas, Texas 75202

MAY 29 1975

Mr. Steelman:

I am 25 years old, married, and have one daughter. I am currently in the process of transferring from Eastfield College to the University of Texas at Dallas, and my major field of study is Philosophy. My grade point average at Eastfield as of May, 1975 was 3.82 from a possible 4.00. I am a member of the Naval Reserve, in inactive status, and during my two year tour of duty was assigned to the Naval Security Group, where I was granted five different types of security clearance, two of which were Top Secret (Codeword). I am a lifetime resident of Dallas.

I recently viewed the Abraham Zapruder film of the assassination of President Kennedy. The film raised some doubts in my mind as to the accuracy of the conclusions drawn by the Warren Commission, so I began some research on my own. I have read substantial portions of the Report of the President's Commission on the Assassination of President John F. Kennedy (commonly known as the Warren Report) and the 26 volumes of Hearings Before the President's Commission on the Assassination of President Kennedy (referred to herein as Hearings). It is my opinion that the Warren Commission could have been mistaken in some vital aspects of their conclusions. I think that it would be worth your time to consider the points which follow.

The distance from the sixth floor window to President Kennedy at the head shot (the only shot which can be accurately placed) was 265.3 feet. (Report, p. 110)

The speed of the limousine, while traveling an average speed of 11.2 m.p.h., actually slowed abruptly and then accelerated while the shots were being fired (Hearings, Vol. III, 220-221, 266; VI, 233; VII, 440, 487). Note, this is not after the shots were fired, but during the period of time between the first and last shots.

The rifle allegedly used by Oswald was a 6.5 millimeter Mannlicher Carcano Italian military rifle Model 91/38. As to this weapon, J. Edg Hoover wrote to J. Lee Rankin, General Counsel to the Commission "...t accuracy of the rifle would depend upon the quality of ammunition used the condition of the weapon at the time of firing and the expertness o the shooter..." (XXVI, 103).

R. W. Botts, the District Manager of the Winchester-Western Division of Olin Mathieson, the company the Commission determined manufactured the cartridges, (Report, 646), said that his company made 6.5 ammunition "during World War II" (XXVI, 62), and an FBI firearms expert told the Commission that the 6.5 ammunition was "re-imported into this country and placed on sale" (III, 400). It would seem, then, from the testimony, that the ammunition used was 20 years old.

The October 1964 issue of Mechanix Illustrated typifies the Mannlicher-Carcano as "...crudely made, poorly designed, dangerous and inaccurate...unhandy, crude, unreliable on repeat shots, has safety design fault". In addition, according to J. Edgar Hoover's testimony referring to FBI tests, the Mannlicher-Carcano's "telescopic sight could not be properly aligned with the target, since the sight reached the limit of its adjustment before reaching accurate alignment" (XXVI, 104). Metal shims had to be added to the sight before it could be tested for the Commission (III, 443-444).

While in the Marine Corps, Oswald was tested twice to determine his accuracy with a rifle (Report, 191). In December, 1956, he scored 212 (Report, 191), and in May, 1959, he scored 191, a single point over the minimum for ranking in the lowest Marine Corps category (Report, 191). The last score was described by the head of the Records Branch of the Marine Corps Personnel Department as a "rather poor shot" (Report, 191, 488).

The sequence of rifle fire as described by the Commission was as follows: the first shot hit Kennedy and Connally, the second shot went wild and did not strike in the limousine, and the third shot hit Kennedy (Report, 111-117). The minimum time Oswald had to fire all three shots was 4.8 seconds; witnesses estimated the time at 5 to 6 seconds. (Report, 117). The FBI determined that the absolute minimum time required to operate the rifle was 2.3 seconds, and this without aiming at a moving target (III, 407). When shooting at a moving target, it was estimated that 1 second should be added, giving a time of 3.3 seconds for each shot (III, 407). Therefore, the FBI tests put Oswald's firing time at 6.6 seconds. From this, the Commission alleges that Oswald had 2.3 seconds between each shot.

The Commission, then, would have us believe that Oswald shot 100 yards, at a decelerating and then accelerating target (actually two lines of motion are evident, the limousine and Kennedy within the limousine), firing an "inaccurate" rifle considered "unreliable on repeat shots", using 20-year-old ammunition, Oswald himself a "rather poor shot", in a time interval of 4.6 seconds, (or 6.6 seconds, depending on whether you accept the Commission's or the FBI's figures) and accurately struck John Kennedy twice, killing him the second time. This, for me, is very hard to accept.

I have no personal theories as to what happened in Dallas on November 1963, but I do feel that the Warren Commission left far too many questions unanswered, and too many gaps in their conclusions.

I therefore urge you to support House Resolution 204. It is my opinion that it would be in the best interests of this country to have the questions surrounding the event resolved, whether the answer: support or disagree with the findings of the Warren Commission.

Thank you for your time.

Kenneth D. Shaddock

Kenneth D. Shaddock

1 - Mr. Gebhardt
1 - Mr. Cooke
1 - Mr. Nettles
1 - Mr. Cochran
1 - Mr. Mintz
June 27, 1975
1 - Mr. Moore

REC 98 Ex. 62-107160-72

Honorable Alan Steelman
House of Representatives
Washington, D. C. 20515

Dear Congressman Steelman:

Your June 11, 1975 letter to the Department of Justice enclosing a letter you received from Mr. Kenneth Shaddock has been referred to me for reply.

As I am sure you are aware, the FBI conducted a thorough investigation into the assassination of President Kennedy and furnished numerous reports to the Warren Commission. That Commission, after careful study of these reports and information from other agencies and sources, arrived at the conclusion that Lee Harvey Oswald acted alone in committing this heinous act.

Due to the voluminous nature of the material available regarding the assassination, it is quite possible for an individual to pick bits and pieces of information and arrive at a conclusion which raises questions as to the findings of the Warren Commission. But, it should be remembered that the Warren Commission considered all available information in toto in arriving at its conclusion.

I trust these comments will be of assistance to you in replying to Mr. Shaddock. I can appreciate his concern, but I do not feel a point-by-point analysis of his questions would be appropriate since some were further explained by the Warren Commission and others are matters of individual judgment.

Sincerely yours,

Clarence M. Kelley

Clarence M. Kelley
Director

MAILED 7
JUN 30 1975
FBI

Assoc. Dir. ___
Dep. AD Adm. ___
Dep. AD Inv. ___
Asst. Dir.:
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Director Sec'y ___

1 - Assistant Attorney General
Office of Legislative Affairs (Enc.)

WEN:cjl (10)

SEE NOTE PAGE TWO . . .

JUL 24 1975

MAIL ROOM ☐ TELETYPE UNIT ☐

GPO : 1975 O - 569-920

Honorable Alan Steelman

NOTE: Congressman Steelman sent the Department of Justice a letter from his constituent Kenneth Shaddock which analyzed certain aspects of the Warren Commission Report concerning the rifle, ammunition, distance, moving target, timing, and shooting ability of Lee Harvey Oswald. Shaddock urged the Congressman to support House Resolution 204 as it would be in the best interest of the country to have questions regarding the assassination resolved. Congressman Steelman requested comments on this matter. The Department referred the letter to the FBI for reply. This letter to the Congressman advises him that the Warren Commission considered all available information in arriving at its conclusion. A point-by-point analysis of his questions is not being made since some are further explained by the Warren Commission and others are matters of individual judgment. This has been coordinated with Supervisors John C. Wagner of the External Affairs Division and C. B. Cunningham of the Laboratory Division.

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Director Sec'y	

FROM	DATE OF DOCUMENT	SUSPENSE DATE
CONG. ALAN STEELMAN	6/11/75	6/30/75
TO	DATE RECEIVED	CONTROL NO.
Congressional Liaison	6/17/75	10,399
DESCRIPTION	REFERRED TO	DATE
letter of Mr. Kenneth Shaddock	FBI	6/18/75
REMARKS		
PLEASE RETURN COPY OF REPLY AND THIS FORM TO CL[illegible] 1139		
	PREPARE REPLY FOR SIGNATURE OF	
	FBI	

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Memorandum

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Laboratory ____
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Spec. Inv. ____
Training ____
Legal Coun. ____
Telephone Rm. ____
Director Sec'y ____

TO : Mr. Gebhardt

DATE: June 20, 1975

FROM : B. H. Cooke

1 - Mr. Adams
1 - Mr. Gebhardt
1 - Mr. Cooke
1 - Mr. Nettles
1 - Mr. Moore
1 - Mr. Wannall

SUBJECT: ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY
NOVEMBER 22, 1963
DALLAS, TEXAS
MISCELLANEOUS - INFORMATION CONCERNING

Reference is made previous communications between the FBI and John J. Buckley, Jr., Special Assistant to the Attorney General, concerning contacts Mr. Buckley has had with Professor Richard Popkin. In these contacts Professor Popkin has alleged that a Richard C. Nagell possesses information vital to the assassination of President Kennedy.

The Department of Justice Records Administration Office forwarded to the FBI three telegrams from Professor Popkin to the Attorney General, which were received by the General Investigative Division on 6/19/75.

Since it did not appear that Mr. Buckley had seen the telegrams, he was telephonically contacted on 6/19/75. He had not seen the material and requested that it be sent to him and he would handle the contact with Professor Popkin.

The material has been sent to Mr. Buckley.

ACTION: None. For information.

REC-40

5 JUN 24 1975

WEN:nlc
(7)

3 ENCLOSURE

64 JUL 24 1975

western union Mailgram

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ZIP

ATTORNEY GENERAL ALBERT LEVI DEPARTMENT OF
JUSTICE
WASHINGTON DC 20530

REGARDING MY PREVIOUS TELEGRAM CONCERNING THE ASSASSINATION OF JOHN F
KENNEDY MY TELEPHONE NUMBER UNTIL TUESDAY IS 7144536366
RICHARD H ROPKIN 2674 COSTE BELLE DR LA JOLLA CA 92037

0406 EST

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TELEGRAM
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2136735151 TDRN LOS ANGELS CA 54 06-15 0218A EST
PMS ALBERT LEVI, ATTORNEY GENERAL OF THE UNITED STATES, DLR 9AM, DLR
DEPT OF JUSTICE
WASHDC
I HAVE DOCUMENTS NAMING THE ACTUAL KILLER OF JOHN F. KENNEDY AND
SHOWING HOW HE CONSPIRACY WAS ARRANGED BY US INTELLIGENCE
AGENCIES AND THAT MOST OF THESE DOCUMENTS HAVE BEEN AVAILABLE TO THE
FBI AND THE ORIGINALS HAVE BEEN IN THEIR POSSESSION SINCE 1967 I
WILL DEVLIVER THESE DOCUMENTS TO YOU AT YOUR CONVENIENCE
RICHARD H. POPKIN 2674 COSTE BELLE DR LA JOLLA CA 92037 7144536966

ENCL. BEHIND FILE

ENCLOSURE

JUN 1975

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western union Mailgram

ATTORNEY GENERAL EDWARD LEVI
DEPT OF JUSTICE
WASHINGTON DC 20530

IF GRANTED IMMUNITY RICHARD CASE NAGELL WILL TESTIFY TO A MEETING IN SEPTEMBER 1963 THAT LEE HARVEY OSWALD ATTENDED WITH TWO FAKE CUBAN G-2 AGENTS IN JACKSON SQUARE NEW ORLEANS AND WERE IN FACT MEMBERS OF A VIOLENCE PRONE FACTION OF A CIA FINANCED GROUP OPERATING IN MEXICO CITY. AT THE MEETING THE ASSASINATION OF JOHN F KENNEDY WAS DISCUSSED. NAGELL WILL ALSO TESTIFY TO THE REASONS FOR OSWALDS TRIP TO MEXICO AND WHO FINANCED IT ALONG WITH MANY OTHER MATTERS CONNECTED WITH THE CONSPIRACY TO ASSASSINATE JOHN F KENNEDY.

RICHARD A POPKIN
2674 COSTEBELLE DR LA JOLLA CA 92037
7140536966

0118B EST

MGMWSHT WSB

DEC 17 1975

July 22, 1975

MEMORANDUM FOR MR. ADAMS

RE: LEE HARVEY OSWALD MATTER
Report of Note Left at Dallas Office

This is to record that on July 22, 1975, I telephoned Attorney General Levi. I told him of the progress to date in the above matter and that we needed to interview four other people before we could give a report to him. He acquiesced.

Very truly yours,

Clarence M. Kelley
Director

CMK:edm (3)

edm

Assassination of President John F. Kennedy

SENT FROM D. O.
TIME 1:05 PM
DATE 7-22-75
BY KW

LA 101
IF EC-34

62-109060-7221

18 JUL 23 1975

Assoc. Dir. ____
Dep. AD Adm. ____
Dep. AD Inv. ____
Asst. Dir.:
Admin. ____
Comp. Syst. ____
Ext. Affairs ____
Files & Com. ____
Gen. Inv. ____
Ident. ____
Inspection ____
Intell. ____
Laboratory ____
Plan. & Eval. ____
Spec. Inv. ____
Training ____
Legal Coun. ____
Telephone Rm. ____
Director Sec'y ____

JUL 25 1975

MAIL ROOM ☐ TELETYPE UNIT ☐

GPO : 1975 O - 569-920

UNITED STATES GOVERNMENT

Memorandum

DEPARTMENT OF JUSTICE

2 JUL

TO : Director
Federal Bureau of Investigation

DATE: JCK:CWB

FROM : John C. Keeney
Acting Assistant Attorney General
Criminal Division

SUBJECT: Assassination of President
John F. Kennedy

Dep. AD Inv.
Asst. Dir.:
Admin.
Comp. Syst.
Ext. Affairs
Files & Com.
Gen. Inv.
Ident.
Inspection
Intell.
Laboratory
Legal Coun.
Plan. & Eval.
Spec. Inv.
Training
Telephone Rm.
Director Sec'y

Assassination buff Dick Gregory has requested an opportunity to present materials and information he has on the above subject to a representative of the Criminal Division. Apparently they relate to the claims of Richard C. Nagell described in your memorandum of June 12, 1975 to the Attorney General, subject as above. In order to facilitate receipt and turnover for such investigative action as may be appropriate, we would appreciate designation of an FBI representative to be present during Mr. Gregory's presentation.

Please advise Mr. James R. Robinson, General Crimes Section, Criminal Division, of the name of your representative. Mr. Gregory's visit is expected sometime on July 2, 1975. Mr. Robinson will advise your representative of the specific time and place when he is notified thereof by Mr. Gregory.

EX-105 REC 17 62-109060-7222

92 JUL 11 1975

70 AUG 16 1975

JUL 31 1975

Airtel

6/18/75

1 - Mr. Gebhardt
1 - Mr. Cooke
1 - Mr. Nettles
1 - Mr. Bowers
1 - Mr. Cleveland
1 - Mr. Moore
1 - Mr. Wannall

To: Legat, Ottawa (Encs. 2)
SACs, Boston (Encs. 2)
Los Angeles (Encs. 2)
WFO (Encs. 2)

From: Director, FBI

62-109060

JOEY MAXIM
MISCELLANEOUS - INFORMATION CONCERNING

Enclosed for receiving offices are two copies each of a letter received at FBIHQ from Roger Kaye, Edmonton, Alberta, Canada.

This letter sets forth information concerning Joey Maxim, who, according to Kaye, is a former light heavyweight title holder. Maxim allegedly lives in Edmonton, Alberta, Canada, and was recently released from prison in Saskatchewan after serving 12 years. Kaye states Maxim has told him the "underworld" intends to kill former President Nixon and there will be attempts on the lives of President Ford, Secretary of State Henry Kissinger, Senator Edward Kennedy and Prime Minister Trudeau of Canada. Maxim has also made comments to Kaye about the assassination of former President Kennedy, about Frank Sinatra, and about the "Mafia" and his connections with it in Chicago.

In view of the threats against persons protected by the U. S. Secret Service (USSS), a copy of this letter has been made available by FBIHQ to that agency. USSS is making arrangements [redacted] for interviews of Kaye and Maxim and will furnish the results of that investigation to the FBI.

1 - Chicago (Encs. 2) (Info)

1 - 62-109060
1 - 63-15189

WKN:paw
(19)

SEE NOTE PAGE 3

58 JUL 23 1975

DUPLICATE YELLOW

ORIGINAL FILED IN

Airtel to Legat, Ottawa
SACs, Boston
Los Angeles
WFO

RE: JOEY MAXIM

FBIHQ files contain no information identifiable with Maxim.

Kaye sent several letters and telegrams to FBIHQ between 1971-1974, primarily concerning alleged "Mafia" activities. He appears to be a [redacted] and his letter is not being acknowledged. Past communications from him have not been acknowledged.

Boston, Los Angeles and WFO alert appropriate local authorities regarding alleged threats against former President Nixon, President Ford, Secretary of State Kissinger and Senator Kennedy.

Legat, Ottawa alert appropriate authorities concerning alleged threat against Canadian Prime Minister Trudeau.

FBIHQ will forward results of USSS inquiry to concerned offices when received.

NOTE:

By letter of 6/9/75 to the Director, Roger Kaye set forth several allegations regarding a Joey Maxim, including information concerning threats against several prominent people. Kaye, who has corresponded with FBIHQ on several occasions, is apparently a [redacted]. His past allegations have primarily dealt with the "Mafia" and have not been acted upon or acknowledged. In view of this latest letter containing information of a threatening nature, appropriate receiving offices are being instructed to notify local authorities. A copy of the letter has been made available to SA Don Bell, Liaison Section, U. S. Secret Service Headquarters. That agency is making arrangements for appropriate investigation in Canada and will furnish results to FBIHQ.

[redacted] - 109 Street
Edmonton, Alberta
Canada
June 9, 1975

Director of F.B.I.
Clarence M. Kelly
Washington, D.C.

John F. Kennedy

Dear Sir:

In regards to certain information regarding the matter I think this will be important to you.

I met a person lightly by the name of Jay Nixon. He told the light-heavy weight title fight 1950 - 1952.

62-109060-

He told me that the underworld intends to kill the former President, Mr. Nixon because quote, "He knows too much" about the underworld's control of the politicians in the U.S. Also that former President Kennedy was assassinated by six gunmen and that he F. Oswald was set up. Also that Jack Ruby was given cancer by injection. Lee Oswald

NOT RECORDED
26 JUL 15 1975

be an attempt on President Ford's life and that of Henry Kissinger. Also Edward Kennedy will be killed if he runs for President in 1976.

Maxim also told me that our friend Minister Trudeau will be killed this day. Maxim lives in suite 155 Peppertree Apartments, Jasper Ave Edmonton, Alberta. His telephone number is local 488-3414.

Maxim told me that Frank Sinatra is the keenest in Hollywood for the mafia. Maxim has killed several people for the mob and that he has connections in Chicago.

He was raised from minor at Prince Albert, Saskatchewan on Feb 25, 1975 after doing twelve years. He is a three-time convicted thief and did a total 850 per week. Maxim is a quiet type but I do not want one with his build. He hangs around Tudbe's Coffee Shop on Jasper Ave.

I hope this information can help you.

Yours truly,
Roger Kaye

Canada 8



Clarence M. Kelly
Director of F.B.I.
Washington, D.C. U.S.A.
20530

PERSONAL
AND
CONFIDENTIAL

THE WHITE HOUSE OFFICE

REFERRAL

To: The Attorney General

Date: July 1, 1975

ACTION REQUESTED

_____ Draft reply for:

_____ President's signature.

_____ Undersigned's signature.

_____ Memorandum for use as enclosure to reply.

__X__ Direct reply.

__X__ Furnish information copy.

_____ Suitable acknowledgment or other appropriate handling.

_____ Furnish copy of reply, if any

_____ For your information.

_____ For comment.

NOTE

Prompt action is essential.

2 weeks'

If more than ~~xxxxxxx~~ delay is encountered, please telephone ~~xxxxxxxxxxxxxxxxxxxxxxxxx~~ ~~xxxxxxx~~ Miss Byrne 456-6688

Basic correspondence should be returned when draft reply, memorandum, or comment is requested.

REMARKS:

Initially sent to Commission on CIA Activities -- was returned.

Description:

__X__ Letter: _____ Telegram: Other:

To: The President

From: John J. Popp, 7901 Bothwell, Reseda, Ca. 91335 and Miss Pat Justice,

Date: April 28, 1975 4771 Hilltop, Cheyenne, Wyoming 82001

Subj.: JFK assassination and Warren Commission Report.

Sent to the President

7/17/75 1- White House

Roland L. Elliott

RLE:JHH:PB:emp

ENCLOSURE Director of Correspondence

62-109060-7723

Copy

65-2

Dear Mr. Elliott,

I thank you for answering by mail in regard to my previous letter concerning the assassination of President John F. Kennedy and the Warren Commission's subsequent findin Needless to say, your reply was unsatisfactory.

It is inconceivable to me that President Ford can continue to regard the investigation undertaken by the Commission to be both thorough and compl when they did not question most of the eyewitnesses to the murder; neglected to subpoena the original Zapruder film (usin a poor copy instead) and also neglected to examine the photographs and X-rays of the wounds. I consider these to be but a few of the glaring ommissions proving the incompetentness of the Commis investigation.

I hereby renew my request th the President reopen this case in the interest of truth and justice.

Very Sincerely,

Miss Pat Justice

4171 Hilltop

El Paso, Texas 79903

62-109060-

1 - Mr. Gebhardt
1 - Mr. Nettles
1 - Mr. Cochran
1 - Mr. Mintz
1 - Mr. Moore

July 17, 1975

Miss Pat Justice
4771 Hilltop
Cheyenne, Wyoming 82001

Dear Miss Justice:

Your letter to Mr. Roland L. Elliott of The White House has been referred to me for reply. It was originally referred to the Commission on CIA Activities, but that Commission expired prior to an answer to your letter being made.

As I am sure you are aware, the FBI conducted an extensive and exhaustive investigation into the assassination of President John F. Kennedy. The results of that investigation were furnished to the Warren Commission, which studied not only the voluminous FBI reports, but also information from other agencies and sources.

It should be remembered that the Warren Commission considered all available information in arriving at its conclusions. It would have been an almost impossible task for the Commission to interview all witnesses. As an example of the magnitude of this matter, in the overall investigation, the Warren Commission took testimony from over 500 people, whereas the FBI alone conducted approximately 25,000 interviews.

Concerning your comments regarding the Zapruder film, the original of this film was viewed by representatives of the Warren Commission, the FBI, and the United States Secret Service. Additionally, the owner of the film, "Life" magazine, subsequently made available color slides of the frames of the original film for detailed study. You may find information regarding this on page 138, Volume V, of the Warren Commission Report.

JUL 17 1975 FBI

Assoc. Dir. ___
Dep. AD Adm. ___
Dep. AD Inv. ___
Asst. Dirs. ___
Admin. ___
Comp. Syst. ___
Ext. Affairs ___
Files & Com. ___
Gen. Inv. ___
Ident. ___
Inspection ___
Intell. ___
Laboratory ___
Plan. & Eval. ___
Spec. Inv. ___
Training ___
Legal Coun. ___
Telephone Rm. ___
Director Sec'y ___

WEN:cjl (9)

REC 21 7223

SEE NOTE PAGE 3

JUL 21 1975

EX-105

54 AUG 7 1975

MAIL ROOM ☑ TELETYPE UNIT ☐

GPO : 1975 O - 569-920

Miss Pat Justice

Regarding the Commission not examining the photographs and X-rays of President Kennedy's wounds, the Commission did have access to the autopsy reports which contained details regarding the wounds. Additionally, the Commission heard testimony from the doctors who were involved in the autopsy and who studied the X-rays. It is our understanding that the film containing the photographs of President Kennedy's body taken at the time of the autopsy were turned over to the Kennedy family as a matter of common decency since the President's body was photographed in an unclothed state and the wounds were graphically displayed.

While I can readily understand your concern, I believe that careful study of the entire Warren Commission Report reveals that each aspect of the case was considered in depth. The FBI does conduct follow-up inquiries on new allegations in this case, but there have been no developments which would warrant the reopening of a full investigation.

I have furnished a copy of this letter to Mr. Elliott, of The White House.

Sincerely yours,

C. M. Kelley

Clarence M. Kelley
Director

1 - Director of Correspondence (By Liaison)
The White House

1 - Assistant Attorney General
Criminal Division (Encs. 2)

detached

Miss Pat Justice

NOTE: This letter was referred to the FBI for direct reply by the Director of Correspondence for The White House, Robert L. Elliott. It had initially been sent to the Commission on CIA Activities, but was returned to the White House unanswered. The White House then referred it to the Department of Justice, who referred it to the FBI. The writer states there were glaring omissions in the Warren Commission investigation, mentioning specifically failure of the Commission to interview most of the eyewitnesses, failure to subpoena the original Zapruder film, and neglect in not examining the photographs and X-rays of the wounds. She calls upon the President to reopen the case. This response has been coordinated with Lyndal L. Shaneyfelt (recently retired from the Laboratory Division) who handled photographic evidence in this investigation; New Haven ASAC Francis X. O'Neill, Jr., who handled the autopsy aspects of the investigation; and Supervisor Kenneth Raupach of the Special Investigative Division, who supervised the original investigation at FBIHQ. Bufiles contain no information readily identifiable with writer.

UNITED STATES GOVERNMENT

Memorandum

Assoc. Dir. ____
Dep. AD Adm. ____
Dep. AD Inv. ____
Asst. Dirs.:
Admin. ____
Comp. Syst. ____
Ext. Affairs ____
Files & Com. ____
Gen. Inv. ____
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Inspection ____
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Laboratory ____
Plan. & Eval. ____
Spec. Inv. ____
Training ____
Legal Coun. ____
Telephone Rm. ____
Director Sec'y ____

TO : J. B. ADAMS

DATE: July 17, 1975

FROM : T. J. JENKINS

SUBJECT: ASSASSINATION OF FORMER PRESIDENT JOHN F. KENNEDY

REC-43

The attached material was furnished to the Director by Mr. Don Donahue, one of Senator Jackson's assistants. This material was furnished to the Director for our consideration and review.

Submitted for information.

Enc.

1 - Mr. Wannall
1 - Mr. Gebhardt

TJJ:gt
4

EX-106

REC-43 7229

ENCLOSURE

SEP 26 1975

TWO

7 OCT 17 1975

58 OCT 15 1975

Berkeley, CA 94707
415-845-4669

A Suppressed Warren Commission Transcript:
Ford, Jaworski, and the National Security Coverup

Ten years ago, Gerald Ford and his colleagues on the Warren Commission led the official investigation of the assassination of President Kennedy. In August 1972, Attorney General Kleindienst suggested, with unintended accuracy, that the original Watergate investigation would match the Warren Commission's work in extent and thoroughness. The cloak of national security in which Richard Nixon tried to wrap himself was successfully used to impress the investigators (up to and including Earl Warren) with the delicacy of their job - which was not to find the truth, but to reassure the nation that the truth had been found.

A contribution to this reassurance was a book published in 1965 by Ford (with his assistant, John R. Stiles), titled "Portrait of the Assassin." Ford testified at his Vice-Presidential confirmation hearing that his intention was to make the conclusions of the Commission more readable; to that end, excerpts from witnesses' testimony make up most of the book. The book also revealed for the first time how the Commission reacted to a report that Lee Harvey Oswald had been an FBI informant. Ford reported with pride the Commission's determination to get to the bottom of the story, but not their failure to do so.

Ford described a "tense and hushed" emergency executive session on January 2 1964, after Texas Attorney General Waggoner Carr had reported the rumor. Two day later, Carr presented the allegation in Washington, accompanied by Dallas Distri Attorney Henry Wade, his Assistant D.A. Bill Alexander, and the two lawyers who were assisting Carr as Special Counsel for the Texas Court of Inquiry, Robert Storey and Leon Jaworski. On January 27, the Commission met to consider its resp

There was no question about the serious import of the allegation about Oswal and the FBI. Although efforts were made to suggest that overzealous reporters had generated it, it is clear that various police sources were encouraging the allegation, and that the Texans had reasons of their own for spreading it. One predictable effect was to take the heat off Texas, where the President had been

the Federal government. If Oswald had been an FBI informant, the argument went, naturally the FBI would not have considered him dangerous, and that would be why the FBI and the Secret Service did not warn the Dallas Police about him.

Ford testified that he and Stiles "did not use in that book any material other than material that was in the 26 volumes of testimony and sold to the public generally." That statement is incorrect. His description of the January 27, 1964 Commission meeting (which he had not attended) consists mainly of excerpts from a transcript which was classified Top Secret until this year. It was declassified in June in response to a suit by author and Warren Commission critic Harold Weisberg. The cover page of the transcript alleges that it contains "information affecting the national defense of the United States" and that its disclosure to an unauthorized person was "prohibited by law." Ford's use (presumably not authorized) was a violation of the security-classification system, but (like the publication of the Pentagon Papers) probably not illegal.

The full transcript shows that Ford edited it as badly as Nixon edited the Watergate transcripts. His biggest distortion was to present this discussion in support of the false claim that the Commission investigated the allegation "with an intensity of purpose that left no stone unturned." The Commissioners were well aware of the obstacles to a proper investigation of the FBI-Oswald story, and of other issues. They knew the inadequacy of what they would end up doing. The Warren Report ultimately relied on statements by the FBI and the CIA that Oswald had not been an informant. The Commission never even saw all of the FBI's files on Oswald. Although the factual situation is complicated, there is very strong evidence that the FBI did have a special relationship with Oswald which was not revealed to the Commission. The FBI apparently did not respond to Oswald's leftist activities with authentic concern.

The Commission members clearly understood the worthlessness of a categorical denial from an intelligence agency. As a matter of policy, they were told, the CIA would lie to protect an informant or agent, unless otherwise instructed by

"Rep. [Hale] Boggs: Let's say [U-2 pilot Francis Gary] Powers did not have a signed contract but he was recruited by someone in CIA. The man who recruited him would know, wouldn't he?

"Mr. [Allen W.] Dulles [former CIA Director]: Yes, but he wouldn't tell.

"The Chairman [Earl Warren]: Wouldn't tell it under oath?

"Mr. Dulles: I wouldn't think he would tell it under oath, no.

"The Chairman: Why?

"Mr. Dulles: He ought not tell it under oath. Maybe not tell it to his own government but wouldn't tell it any other way. [sic]

"Mr. [John J.] McCloy: Wouldn't he tell it to his own chief?

"Mr. Dulles: He might or might not. If he was a bad one then he wouldn't....

"Mr. Dulles: I would tell the President of the United States anything, yes, I am under his control. He is my boss. I wouldn't necessarily tell anybody else, unless the President authorized me to do it. We had that come up at times."

The obligatory approach to the FBI was recognized as delicate as well as substantively inadequate. The Commission's General Counsel, J. Lee Rankin, explained:

"We thought, first, about approaching the Department [of Justice] with a request that the Attorney General [Robert Kennedy] inform us as to the situation, not only as to what he would say about whether Oswald was or was not an undercover agent, but also with the supporting data that the commission could rely upon, and there is some difficulty about doing that. As the head of the department, [---] the FBI, of course, is under the Attorney General, but I think we must frankly recognize amongst ourselves that there is a daily relationship there involved in the handling of the problems of the Department and the work of the FBI for the Department, and that we wouldn't want to make that more difficult.

"We were informed by Mr. [Howard P.] Willens, the liaison with the Department ... that it is the feeling of the Department ... that such a request might be embarrassing, and at least would be difficult for the Attorney General, and might, if urged, while we would get the information we desired, make [it] very much more difficult for him to carry on the work of the Department for the balance of his term."

The Commission understandably chose not to involve Robert Kennedy in this problem; he had little to do with any of the investigation. Nevertheless, the Commission and its defenders were eager to interpret Robert Kennedy's silence

as an endorsement of the Warren Report.

In this closed session, the Commissioners admitted the problems raised by the FBI's prior conclusion that Oswald was the lone assassin. This concern was never admitted later in such unguarded terms (no doubt in deference to the FBI's claim that it reports only facts, not conclusions), but it governed the work of the Commission throughout. Rankin responded to the idea of questioning the FBI about their investigation:

> "Part of our difficulty in regard to it is that they [the FBI] have no problem. They have decided that it is Oswald who committed the assassinatic they have decided that no one else was involved, they have decided —
>
> "Sen. [Richard B.] Russell: They have tried the case and reached a verdic on every aspect.
>
> "Rep. Boggs: You have put your finger on it....
>
> "Mr. Rankin: ... They have decided the case, and we are going to have maybe a thousand further inquiries that we say the Commission has to know all these things before it can pass on this. And I think their reaction probably would be, 'Why do you want all that. It is clear.'
>
> "Sen. Russell: 'You have our statement, what else do you need?'
>
> "Mr. McCloy: Yes, 'We know who killed cock robin.' That is the point. It isn't only who killed cock robin. Under the terms of reference we have to go beyond that."

The immediate problem - the allegation that Oswald had been an FBI (or CIA) informant - was discussed in the context of these obstacles. Two distinct approaches were presented. Warren wanted to start by having the Commission get information directly from the sources of the rumor, notably Houston Post reporter Lonnie Hudkins. Rankin recommended first going to Hoover for his explanation and the expected pro forma denial. The real issue was how to avoid the unavoidable implication that they were investigating Hoover. After considerable discussion, the members voted without dissent to let Rankin proceed as he thought best.

Warren hoped that direct inquiries by the Commission would avoid a clash wi Hoover. As he put it, "I am not going to be thin-skinned about what Mr. Hoover might think, but I am sure if we indicated to Mr. Hoover that we were investigat him he would be just as angry at us as he was, or would be at the Attorney Gener

for investigating him. Warren was angry

too late to avoid it. In a letter of January 27, received the day after the meeting, Hoover angrily denied that Oswald had been an informant. He said (erroneously) that the FBI had "previously made available to the Commission full information concerning our contacts with Oswald." Hoover mentioned that he had learned of the Texans' January 24 visit; it came out only later that the FBI had interviewed Assistant D.A. Alexander the following day. After reviewing the FBI's relations with Oswald "so that there may be no doubt" about them, Hoover said "In the event you have any further questions concerning the activities of the FBI in this case, we would appreciate being contacted directly."

Most of the Commission's subsequent investigation was done as Hoover wanted: in effect, by asking the FBI to investigate itself. The possible primary sources (Hudkins, Alexander, and Dallas Deputy Sheriff Allen Sweatt) were not witnesses before the Commission or its staff. Hoover cleverly undercut the Commission. For example, although Rankin said on January 27 that he did not intend to let the FBI interview Hudkins, the Bureau had already done so. After obtaining information about an official source for the allegation from Joseph Goulden (then reporting for the Philadelphia Inquirer), the FBI hid that lead from the Commission by reporting a single interview of Goulden about two reports from that source in two separate documents. The Commission ultimately relied upon the testimony of Hoover and other FBI personnel, and on an incomplete and inadequate set of affidavits asserting that Oswald had never been an informant.

This transcript reflects poorly on practically all of the parties involved, not just the FBI. J. Lee Rankin, for example, gave a presentation to the Commis: which was at variance even with a memo he had prepared for the record. He refer: to a Secret Service interview of the reporter Hudkins as an interview of Sheri: Sweatt, contributing to the incorrect consensus that "this all stems back to" Hudkins and not to the Texas officials. The Texans themselves told contradictor: stories, and (as the Commission recognized) their motives were suspect.

Comparison of the transcript with the first chapter of Ford's book reveals

omissions and other heavy editing. The Robert Kennedy problem, for example, is not even mentioned, and the essence of the disagreement between Warren and Rankin is obscured. A rational discussion of strategy is made directionless. For example, the Ford and Stiles book omits (without indication) the underlined words in this suggestion by Rankin:

> "Would it be acceptable to go to Mr. Hoover and tell him about the situation and that we would like to go ahead and find out what we could about these -- [allegations, by going to the sources]...."

With this change, Warren's response does not make sense:

> "The Chairman: Well, Lee, I wouldn't be in favor of going to any agency and saying, 'We would like to do this.' I think we ought to know what we are going to do, and do it, and take our chances one way or the other."

Ford then quotes Warren's determination ("I don't believe we should apologize or make it look that we are in any way reticent about making any investigation that comes to the Commission") but not the equivocating next sentence: "But on the other hand, I don't want to be unfriendly or unfair to him [Hoover]."

Like Rankin and the FBI, Ford plays down the role of Texas police officials as sources for the allegation, and overemphasizes the role of the press (Hudkins, Goulden, and Howard Feldman, who wrote an article in The Nation). Sheriff Sweatt, who was named by Hudkins as a source, is not mentioned in Ford's book; three references to him were deleted. For example, where Senator John Sherman Cooper referred to the Commission's duty "to see what Hudkins and Sweatt say about it, where [did (?)] you get that information," he is quoted by Ford as saying "to see what Hudkins says about it, where he got that information."

We now know that a national security classification of Top Secret was used for ten years to suppress material which is sensitive only politically. The classification was even applied to a status report at the end of the meeting, where various investigative problems (some still unresolved) were discussed. On the other hand, the transcript contains a number of points which it is surprising to see released even now: a discourse by Dulles on how intelligence agencies can incriminate

the FBI's responsibility to infiltrate the Fair Play for Cuba Committee, followed by McCloy's remark that he had "run into some very limited mentalities both in th CIA and the FBI (Laughter)"; and the revelation that during World War II D.A. Henry Wade (then with the FBI) had paid the head of the Ecuadorean police "more than his salary each month," without submitting full records to Washington, "so that they got better service than the local government did."

Since this transcript supplements what critics have known for years about how bad the Commission's investigation was, why has it been declassified now? Th government claims that it was cleared for release by the National Archives, the FBI, and the CIA after a review prompted by Harold Weisberg's suit under the Freedom of Information Act. (Executive Order 11652 provides for such a review of certain Top Secret material which is more than ten years old.) Weisberg argue persuasively that the Top Secret classification was unjustified by the subject of the discussion, was technically unauthorized, and had been made routinely. On May 3, 1974, Judge Gerhard Gesell ruled against Weisberg, not because of the classification but on an unsubstantiated government claim that the transcript was withholdable under the exemption granted to certain investigatory files. The subsequent release may have reflected a desire to avoid a bad precedent, and an awareness that Gesell's decision should have been reversed on appeal. The full 86-page transcript, with annotations and a commentary on the legal and factual issues, is being privately published by Weisberg.

The disclosure of damaging material about the Commission and the FBI, and the revelation of Ford's Nixonian editing skills, may be just a coincidence. It is also possible that the release had something to do with the evidence that Hoo was looked upon as a possible obstruction. John Erlichman has made a parallel argument in justifying the Plumbers' operations; other material embarrassing to the FBI has been released in the counter-intelligence program (COINTELPRO) and Kissinger wiretap cases. In any event, whatever use may have been intended, the transcript supports the case for strengthening the Freedom of Information Act.

after this January 27 meeting is that, assuming the allegation that Oswald was an FBI informant was false, their concern was to establish its falsity in a way which appeared thorough but which did not offend the FBI. President Johnson had convinced Warren to serve on the Commission only by arguing that squelching various (unspecified) rumors was essential to the nation's security. Warren passed on to the Commission staff Johnson's estimate that 40 million deaths would result from a nuclear war. At best the Commission never recognized just how much its concern about national security and national tranquillity precluded its professed committment to finding the truth.

The details of the Commission's failure to check out Oswald's relationship with the FBI reveal much about how a successful coverup materializes. One minor aspect of that complicated story is noteworthy now: Leon Jaworski emphatically and unfairly deprecated Hudkins' report. Apparently he was asked to check it out informally; he spoke not to the reporter but to his editor. Jaworski reported back to Rankin, noting that Hudkins' story did not say that Oswald was an informant but raised that question based on the "speculations" of others. Jaworski pointed out that the Commission already had the testimony of the FBI agents (but only some of those involved, as Jaworski should have realized), and of Oswald's mother (who was being emphasized as the source of the rumor, to discredit it). He concluded, "I am wondering if it is really worth your effort to follow up on Hudkins." The Commission evidently agreed that the effort was not worthwhile. In their own final report, Carr, Jaworski and Storey endorsed the Commission's investigation, claiming that they knew of "no untapped sources" of relevant information, while repeating the implication that the Federal authorities should have warned the Texans about Oswald.

In the few days after Nixon's resignation, the country was reportedly eager to forget Watergate - a mood cultivated if not created by the media. Ford and Jaworski were in the key positions to decide how and whether the still unexplained crimes of the last few years would be investigated. Ford's prolonged support of

Nixon on issues from Vietnam to Watergate, and his work on the Warren Commission, are reminders that a reputation for integrity and candor among his colleagues in the government does not mean that he will serve the interests of the people. Jaworski's contacts with the Warren Commission's investigation show that he at least knows how to go along with a coverup when the supposed perpetrator of the crime is out of the way and broader national interests are thought to be involved.

We do not need a second coverup in the guise of amnesty and a desire to forget the past. At the very least, some of the roots of Watergate go back to before the Kennedy assassination - for example, "the whole Bay of Pigs thing" in which E. Howard Hunt was involved and which Nixon wanted to keep under wraps. (It may be that Nixon was euphemistically referring to Hunt's involvement in attempts to assassinate Fidel Castro; such attempts, it is widely speculated, had some connection with Kennedy's murder. [See, for example, Victor Marchetti and John Marks, "The CIA and the Cult of Intelligence," p. 306; E. Howard Hunt, "Give Us This Day," p. 38.]) As Representative Henry Gonzalez has suggested, a Congressional committee should re-examine and reopen the investigation of the assassination. One of the lessons of Watergate is that the country wants, and can learn from, the truth.

* * * *

Total length:
267 lines
August 21, 1974

RKELI
IN

Senator Henry Jackson
U.S. Senate Office Building
Washington, D.C.

July 8

Dear Senator Jackson,

Pursuant to our discussion of the Kennedy assassination in Los Angeles last April with Paul Fried nder, I am enclosing the information you requested concerning the details of Oswald's possible relationship with some American intelligence agency. What I have included is by no means complete, but is rather the basic evidence which demonstrates that a new investigation is sorely needed.

I might also say that Attorney-General Levy has scheduled a meeting for July 10 with Prof. Richard Popkin of George Washington University in St. Louis. Prof. Popkin has what vital documentation that U.S. intelligence agencies were connected with the assassination, that the FBI had foreknowledge of the plot and made no effort to stop it, and, further, that the identity of the actual killer is known. Popkin has two sources totally independent of one another; one is a high-ranking man in Dealey Plaza and the other a foreign diplomat. The latter is currently seeking immunity before the Church Committee. Prof. Popkin has already made it clear to the public that he has this information in his possession, but is disclosing none of the names of the individuals involved until his meeting with the Attorney-General.

I hope these revelations of a conspiracy and cover-up in the death of President Kennedy distress you as they do myself and many other citizens. At this point in time, I believe the only course available is getting to the whole truth in the Congressional tradition of subpoena. I hope the enclosed information will be of service to that end.

If I can be of any further assistance, please do not hesitate to call on me.

Sincerely,

J.C. Louis

J.C. Louis
[illegible]
[illegible], Md.
[illegible]

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PROFESSOR RICHARD H POPKIN, AN INVESTIGATIVE AIDE, HAS ACQUIRED SENSATIONAL NEW INFORMATION CONCERNING THE MURDER OF PRESIDENT JOHN F KENNEDY.

THE INFORMATION, IN THE FORM OF PERSONAL INTERVIEWS AND THOUSAND OF PAGES OF DOCUMENTATIONS, ORIGINATES FROM TWO NEW AND DISTINCT SOURCES: A PSYCHOLOGIST/INTERROGATOR EMPLOYED BY THE INTELLIGENCE SERVICE OF A UNITED STATES ALLI, AND AN EX-CIA AGENT.

FROM THE PSYCHOLOGIST INTERROGATOR AND HIS CLASSIFIED FILES, DR POPKIN HAS LEARNED THAT:
1. THE CONSPIRACY TO ASSASSINATE PRESIDENT KENNEDY INVOLVED CIA OPERATIVES AND A FAR REACHING PROGRAM OF "BEHAVIOR MODIFICATION".
2. A SUSPECT, WHO WAS ARRESTED IN A PLOT ON THE LIFE OF A FOREIGN HEAD OF STATE, REVEALED HIS INVOLVEMENT AS A "BACK UP" TRIGGER MAN IN THE MURDER OF PRESIDENT KENNEDY.
3. THIS TRIGGER MAN KNEW OF LEE HARVEY OSWALD AND AN OSWALD "DOUBLE".
4. THE TRIGGER MAN NAMED HIS CHIEF CONTACT, WHOS PRESENCE IN DALLAS CAN NOW BE DOCUMENTED.
5. THE DIRECTORS OF THE BEHAVIOR MODIFICATION PROGRAM STILL RESIDES IN THE UNITED STATES. THEIR NAMES AND ADDRESS ARE KNOWN.

DR POPKIN NOW POSSESSES THE RELEVANT SECRET FILE OF THE FOREIGN INTELLIGENCE SERVICE. THESE FILES INCLUDE THE TRANSCRIPTS OF 90 HOURS OF TAPED INTERROGATION OF THE CIA TRAINED AND PROGRAM GUNMAN.

THE FOREIGN PSYCHOLOGIST INTERROGATOR WAS SECRETLY CONTACTED BY THE AMERICAN FBI THE DAY AFTER THE ASSASSINATION OF SENATOR ROBERT F KENNEDY AND QUESTIONED ABOUT SIRHAN B SIRHAN.

FROM THE EX-CIA AGENT, PROFESSOR POPKIN HAS LEARNED THAT:
1. THE KENNEDY MURDER PLOT INVOLVED CIA OPERATIVES, AND LEE HARVEY OSWALD IN THE ROLE OF A "PATSY", AND ALSO A "SECOND" OSWALD.
2. BOTH U.S. AND SOVIET INTELLIGENCE HAD PRIOR KNOWLEDGE OF THE PLOT.
3. DOCUMENTS PROVED THAT THE FBI RECEIVED ADVANCE WARNING AS EARLY AS

SEPTEMBER 6, 1963, BUT REFUSED TO TAKE PREVENTIVE ACTION.
4. SOVIET INTELLIGENCE-FEARING NUCLEAR WAR IN THE EVENT OF A KILLING FALSELY BLAMED A COMMUNIST-DID SEEK, UNSUCCESSFULLY, TO HALT THE CONSPIRACY TO ASSASSINATE PRESIDENT KENNEDY.

THE FOREIGN INTELLIGENCE INTERROGATOR AND THE EX-CIA AGENT HAVE NEVER [illegible] ARE UNAWARE OF THE [illegible]EP'S EVIDENCE. THEIR TESTIMONY AND [illegible] ANY EVIDENCE [illegible] SOLELY ON FIRST HAND ACCOUNTS.

published version of the day of the
Hunt admits to having personally proposed an attempt to assassinate Castro. And although he claims that nothing came of his proposal, this is not true. The CIA's assassins nearly succeeded, but were caught and executed in Havana on the day of the Bay of Pigs invasion.

Another detail suppressed by Hunt is that the CIA's assassination plan involved giving the legal green light (and other aid) to a Cuban conspiracy against Castro sponsored by Las Vegas mobster Johnny Roselli and his organized crime allies in gambling—who wanted back their old Havana casinos. A detailed account of the assassination attempt by Andrew St. George—himself a one-time U.S. intelligence agent—suppresses the Mafia angle but confirms that this attempt was but one of a series, in which a prominent role was played by Frank Sturgis' co-conspirator, Alexander Rorke (*Parade*, April 12, 1964, p. 4). In fact Rorke, according to St. George, died in an assassination attempt when his plane crashed in the Caribbean in September 1963 (cf. CD 1020:29). Rorke's 1963 attorney, Hans Tanner, had already published an account of his own assassination attempt in July 1961. His book gave several informed details about the International Anti-Communist Brigade of Frank Sturgis, which he considered to be "financed by dispossessed hotel and gambling room owners who operated under Batista" (Hans Tanner, *Counter-Revolutionary Agent*, G.T. Foulis, 1972, p. 127).

Hunt is said by an authoritative source to have been the CIA's contact for an assassination conspiracy against Castro in 1966, involving Rolando Cubela Secades, who confessed after being captured in Havana. Cubela, a former military leader of the DRE in Batista days, admitted that he had planned, with help from the CIA and Bay of Pigs leader Manuel Artime, "to shoot Premier Castro with a high-powered telescopic rifle and later share in top posts of a counter-revolutionary regime with Mr. Artime" (*NYT*, March 6, 1966, p. 25). These facts help explain why Artime—for whose child Hunt is a godfather—organized a defense fund for the Watergate burglars, whom he has since continued to

1973, p. 25, cf. June 19, 1972, p. 20). The same facts may also help us to understand what was being covered up in Dallas.

Bernard Barker testified that he carried out two burglaries for Hunt in the expectation that this would eventually help to depose Castro. He also claimed that up to ten minutes before the Ellsberg break-in he knew only that he was working on a case involving espionage by a Soviet embassy. Such exploitation of anti-Castro militants had long ago been offered as an hypothesis for the Dallas assassination. According to this theory, evidence involving Oswald in a left-wing conspiracy had in fact been planted by militant anti-Communists, to make a case for a retaliatory U.S. invasion of Cuba. This would, for example, explain the oddly self-incriminating letter from "Pedro Charles," which the FBI quickly exposed as fraudulent, having been written on the same typewriter as the second warning letter from Havana (26 H 148).

According to a more sophisticated version of this hypothesis (involving a "two-tier conspiracy"), the clumsy fraud was *meant* to be exposed. Having first served as a pretext to engage the services of anti-Castro Cubans, its ultimate intention was to justify not an invasion but a massive federal de-bunking of all traces of conspiracy the false and also the true.

We know at any rate that the direct result of such stories was to justify the creation of the Warren Commission. As Lyndon Johnson wrote in his memoirs, *The Vantage Point*:

> *We were aware of stories that Castro ... only lately accusing us of sending CIA agents into the country to assassinate him, was the perpetrator of the Oswald assassination plot. These rumors were another compelling reason that a thorough study had to be made of the Dallas tragedy at once. Out of the nation's suspicions, out of the nation's need for facts, the Warren Commission was born (p. 26).*

[THE OSWALD NEXUS]

As the Commission's investigative arm, the FBI, with little other legal authorization, proceeded

spy, and others like them. For demonstrating that Oswald was not a Castro agent, but "acted alone," the FBI and the Warren Commission drew applause not only from liberals but even from left-wing critics such as I. F. Stone. Yet in their efforts to establish the "lone assassin" hypotheses for Oswald and Ruby, both the FBI and the Warren Commission were guilty of covering up much evidence to the contrary.

A seemingly minor but significant example is the cover-up of Oswald's relationship (still unclear) to the FBI. On January 24, 1964, the Warren Commission first heard from Dallas District Attorney Henry Wade and Texas Attorney General Waggoner Carr of a rumor that Oswald had been an FBI informant since September 1962. Wade's evidence included hearsay that the name, phone and license-plate number of FBI agent Hosty (who was responsible for surveillance of pro- and anti-Castro Cubans) were in Oswald's address book (just as Hunt's phone was in Barker's), and also that Oswald had a government voucher for $200 at the time of his arrest (5 H 242). The first piece of hearsay turned out to be true (16 H 64), but the Commission did not learn this easily: the FBI had supplied it with an itemized list of names in Oswald's notebook, from which Hosty's had been omitted (5 H 112).

You will look in vain for any of this information in the Warren Report. Instead, the Commission concluded from the sworn testimony of two CIA and five FBI officials, "corroborated by the Commission's independent review of the Bureau files," that "there was absolutely no type of informant or undercover relationship between an agency of the U.S. Government and Lee Harvey Oswald" (R 327). In fact, Chief Justice Warren declined on security grounds to inspect the FBI file on Oswald noting that others "would also demand ... to see it, and if it is security matters we can't let them see it" (5 H 13). According to the Commission lawyer in charge of this matter, no "independent review" was ever made of the file (Edward Epstein, *Inquest*, New York, Viking, 1969, p. 38).

In any case, the question of

the puzzle. There is considerably more evidence to indicate Oswald's involvement with U.S. intelligence—evidence that is obscured rather than laid to rest by the Commission Report.

Let us look at a few of the instances in which this "intelligence angle" was covered up. Oswald's mother, trying vainly to convince the Commission her son was "an agent of the government" (1 H 142, cf. 1 H 191), cited his "special work" in the Philippines (apparently in connection with the CIA military intervention in Indonesia and in the Taiwan crisis (1 H 233, cf. 22 H 723). The Warren Report, without directly refuting this last claim, implied that Oswald had only been in Taiwan for a day or so around September 30, 1958 (R 684); it relied on Oswald's personnel file, and a related Pentagon memo, which placed Oswald's Marine Air Group 11 in Atsugi, Japan (23 H 796, cf. 19 H 658). In reality, MAG-11 had moved from Atsugi to Taiwan, in response to the Quemoy crisis, for an extended period beginning September 8 (Department of Defense Annual Report, 1958-59, pp. 228-29).

This change of status is noted in Oswald's pay records, which only reached the Commission nine days before its report went to press (26 H 709, 715). The pay records also show, in contradiction to the personnel file, that on returning to Atsugi (the base for CIA U-2 and covert commando operations in the Far East), Oswald left MAG-11 (now in Taiwan) and was attached to its replacement MAG-13 (26 H 715). That Oswald's personnel file could put him in one unit, while his pay records put him in another, suggests that Oswald, at least in 1958-59, was engaged in some kind of activity so sensitive that some of his records were altered to conceal it.

There are also discrepancies with regard to Oswald's "hardship discharge" from active duty in September 1959 to support his mother. The Warren Report cites affidavits that Mrs. Oswald "had been injured at work in December 1958, and was unable to support herself" (R 688). In fact, both Mrs. Oswald's regular doctor (CD 5.298) and an Industrial Accident Board denied that she had suffered a loss of wage-earning capacity. Nevertheless, Oswald received his release with an ease and rapidity that surprised some of his colleagues (8 H 257).

In Oswald's group at Santa Ana, Calif., where a "secret clearance ... was a minimum requirement" (8 H 298, cf. 232), the basic function was "to train both enlisted [men] and officers for later assignment overseas" (8 H 290). The swift handling of Oswald's release suggests that it was a cover: Oswald was being "sheep-dipped," just as U-2 pilot Gary Powers before him had been "released" from the Air Force for assignment to a covert intelligence role. Oswald's immediate application for a passport on September 4 "to attend the Albert Schweitzer College in Switzerland and the University of Turku in Finland" (22 H 78) suggests that that role concerned his "defection" in October to the Soviet Union.

Here, too, the Warren Commission chose to overlook discrepancies. How was the trip paid for? The Report blandly repeats Oswald's own story that he had saved $1,500 from his



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the fact that his only known bank account contained a total of $20 (22 H 180). How did Oswald fly to Finland from London Airport, where his passport was stamped "Embarked 10 Oct. 1959" (18 H 162)? If he had taken the only commercial flight, he would have arrived too late to register before midnight (as claimed) at his Helsinki Hotel (26 H 32). The Report's solution was to conclude that Oswald had departed from London October 9, ignoring both the evidence of the conflicting date stamp and the possibility that his flight was not a commercial one at all (R 690, cf. Sylvia Meagher, *Accessories After the Fact*, New York, Bobbs-Merrill, 1967, p. 331).

The desire of U.S. intelligence agencies to interview even casual visitors to the Soviet Union is well known. In June 1962, Lee Harvey Oswald was a returning Marine defector who had once served at a CIA base and had told the U.S. Embassy in Moscow of his intention to pass information to Soviet officials (18 H 98). For two years he had worked in a sensitive Soviet factory and was now married to the niece of a colonel in Soviet intelligence. Yet the Report tells us that the returning Oswalds were met in New York City, not by the FBI or CIA, but by "Spas T. Raikin, a representative of the Traveler's Aid Society" (R 713).

The FBI interviews did not point out that Spas T. Raikin was also the Secretary-General of the American Friends of the Anti-Bolshevik Bloc of Nations, a small but vigorous group of right-wing revanchiste East Europeans in direct touch with the FBI and Army Intelligence—and also with the Gehlen spy organization in West Germany, the Kuomintang in Taiwan, the mother of Madame Nhu, right-wing Cubans like Oswald's DRE contact Carlos Bringuier, and other elements of a shadowy "World Anti-Communist League." This WACL had contacts with U.S. anti-communists in New Orleans, in the building with the Camp St. address used by Oswald on his pro-Castro literature, and also by the CIA's Cuban Revolutionary Council of which Bringuier had once been press secretary. As I have indicated in my book, *The War Conspir-*

dents in Taiwan (the Asian Peoples' Anti-Communist League) were intelligence agents involved in the Kuomintang's narcotics traffic—a fact dramatically illustrated by the 1971 arrest in Paris of the Chief Laotian Delegate to the APACL, whose suitcase containing 60 kilos of highgrade heroin would have been worth $13.5 million on the streets of New York.

Unfortunately, there has not been space to show the ways in which many if not most of the Commission's staff, like most of the FBI agents involved, did attempt an honest and thorough investigation. I have focused narrowly on some of the indications that there was a cover-up where security and intelligence matters were involved. And, as we have learned from the Watergate and "plumbers" break-ins, the cover-up of an intelligence matter can become a priority, thereby protecting perpetrators of crimes which have no intelligence justification.

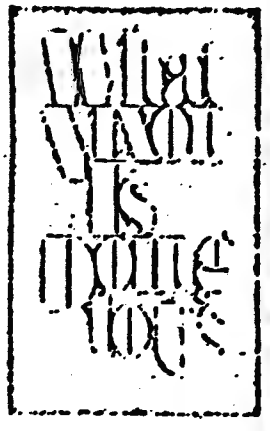
[THE RUBY CONNECTION]

Jack Ruby, the second "lone assassin," was a more difficult subject for a cover-up; his personal and business ties with the police and underworld in Dallas were widely known, and there is evidence they extended considerably beyond Texas. Nevertheless, the Commission went to great lengths to argue that Ruby, like Oswald, "acted independently" (R 373), and in particular to downplay his close links to the Dallas police and also to organized crime. According to a brief and unconsciously humorous section of the Report, "the evidence indicates that Ruby was keenly interested in policemen and their work" (R 800). Nothing is said of the testimony of Detective Eberhardt, a veteran of the Special Services Bureau (SSB), "that he regarded Jack Ruby as a source of information in connection with his investigatory activities" (13 H 183)—i.e., as a police informant, specifically in the area of narcotics.

A word must be interpolated here about the SSB of the Dallas Police. Like similar "Special Units" in other police forces across the country (all of which work with one another), the Dallas SSB had a consolidated responsibility, in collaboration with the FBI and other agencies, for investigating subversive activities (allegedly the

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There is a need to investigate the role of the CIA and the FBI in the investigation of the assassination of President Kennedy and their relationships with Lee Harvey Oswald. Since several agencies had files on Oswald which can be checked against each other, a useful case study of CIA practices is possible. These records should shed light on the interception of mail to Russia, CIA concern about (and file-keeping on) domestic political activities, and other questionable activities.

Unresolved questions about the CIA and the assassination include CIA coverage of Oswald and maybe an impostor in Mexico City, reports that he was an informant, and a contact with a U.S. intelligence operative in Moscow. This memo summarizes the available record and suggests specific inquiries.

The CIA misled the FBI about the CIA file on Oswald, and may not have cooperated fully with the Warren Commission (as the FBI and the Defense Department did not). For example, the CIA may not have told the Commission about all their records on Oswald's wife or his activities in Mexico. This memo specifies documents and people who could clarify the Warren Commission's work with the CIA and their investigation of these matters.

The CIA may have investigated the assassination more thoroughly and longer than the Commission. The results of the CIA investigation, and possible actions against Warren Report critics, should be clarified for the public.

NOTE:

The last section of this memo (8 pp.) has been withheld. It discusses evidence that Oswald or an impersonator was associated with people linked to an assassination attempt against Fidel Castro, and evidence about a man from an associated anti-Castro organization who apparently resembled Oswald. I hope that this material, which was not examined by the Warren Commission, will be investigated before it is made public; therefore, I am not distributing it generally at this time.

PLH

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Paul L. Hoch
1735 Highland Pl.,
Berkeley, CA 94709
March 24, 1975

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SEE NOTE ON PREVIOUS PAGE - PLH

Paul L. Hoch
March 24, 1975

I. INTRODUCTION

A. FEDERAL INTELLIGENCE AGENCIES AND THE KENNEDY ASSASSINATION

Even before the disclosures of the last three months, there were ample reasons for an investigation of improper activities by the CIA and the FBI in the case of Lee Harvey Oswald, and of the extent of the cooperation between these agencies and the Warren Commission.

After the assassination, allegations were promptly made that Oswald had been an informant or employee of some intelligence agency (and that therefore the Secret Service had not been warned about him). Even though the Warren Commission took these reports very seriously, it failed to properly investigate either this specific charge or the exact nature of the relationships between Oswald and the CIA, the FBI, and military intelligence.

The bulk of the Commission's investigation was done through various federal agencies, notably the FBI. Thus these agencies were in large part responsible for the coverup of much of what the Commission was supposed to be reporting for the American people. It is clear, for example, that the FBI misled the Warren Commission about the extent of its files on Oswald, and also in other ways discouraged the Commission from examining the implications of some of the Bureau's intelligence-gathering methods - e.g., the interception of several of Oswald's letters to left-wing political groups. Hoover sidetracked the Commission's investigation of the allegation that Oswald had been an FBI informant, and went through semantic contortions to deny the fact that Jack Ruby had apparently been a Potential Criminal Informant for the FBI.

B. THE UTILITY OF A STUDY OF THE RECORDS

The Oswald case provides an unusual opportunity to check the practices and records of one intelligence agency against the files kept by other agencies. A great deal of information has been published by the Warren Commission, made available in the National Archives, or preserved there but not released. This includes the purportedly complete files on Oswald of the CIA, the State Department, and the Defense Department (including the Office of Naval Intelligence), as well as a list of the FBI Headquarters file. There is, however, evidence that those files are not complete, and suggestions that sensitive or improper activities, domestic and foreign, were not fully recorded in the appropriate files. An analysis of the flow of records in this case could provide a "control" study useful in other cases. This would be particularly helpful if credible allegations of improper CIA activities are not supported by the records made available to the investigating committees.

Oswald will be analyzed in a book I am writing. This memo concerns facts and the CIA, with emphasis on specific questions relevant to domestic CIA activities, possible CIA nondisclosure to the Warren Commission, and possible links between the assassination and CIA attempts to kill Fidel Castro.

Copies of available documents which are cited can be obtained from me. Where possible, I have specified known but unavailable records which might be relevant.

I have deliberately excluded certain extremely implausible allegations for which the purported evidence is weak. Charges have even been made that the CIA or the FBI was responsible for the assassination. Despite the lack of evidence or logical support for many of these allegations, they are, I think, a matter of substantial public concern. A serious attempt to answer specific questions which have been raised seems appropriate. I am concerned that bad evidence tends to drive out good evidence; the necessary rebuttal of some of the wilder allegations must not become an excuse for avoiding more complicated, but more plausible, charges.

Consideration should be given to the possibility of disinformation being used by some intelligence agency to focus attention away from less sensational but more serious charges. Within the past year someone has gone to the trouble of putting together and making available to some Warren Report critics a false FBI document relating to purported connections between Jack Ruby and the federal government.[1] Also, statements have been made about a purported anti-Kennedy National Security Council memo which (if it exists at all) may well be the result of a disinformation effort.[2]

II. THE CIA AND LEE HARVEY OSWALD

A. QUESTIONS ABOUT DOMESTIC CIA INTELLIGENCE GATHERING

The first three of these questions may not be very significant in the assassination investigation, but they might lead to new information about the extent of certain questionable CIA activities.

1. GOVERNMENT KNOWLEDGE OF LETTER SENT TO OSWALD IN RUSSIA

Did the CIA intercept a letter and money order which Oswald's mother sent to him shortly after he defected to Russia? If, as the record suggests, this did happen, why do the FBI and CIA files given to the Commission not fully reflect this?

The first known FBI report relating to Oswald starts with the statement that Mrs. Marguerite Oswald "is reported to have purchased 'foreign money transfer No. 142,688' at the First National Bank of Fort Worth, Texas, on 1/22/60 by means of which she sent the sum of $25 to her son, Lee Harvey Oswald, in care of

determined on January 25, 1960, that Mrs. Marguerite C. Oswald had transmitted the sum of $25" to Oswald at the Metropole Hotel;[4] this prompted interviews of Mrs. Oswald and her other son.

It seems atypical that the contemporary FBI report gives no indication of the origin of that information; that omission may indicate a particularly sensitive source. The recently disclosed CIA project of "selective" interception of mail from the U.S. to Russia and China may have been involved. The CIA has claimed that this program was in operation in 1960 in only one city.[5]

It is also quite possible that the FBI got its information about this private transaction from the bank. The money order was purchased on a Friday, and the FBI learned of it on Monday - which seems a bit fast for a mail interception.

The CIA file on Oswald given to the Commission contains no information on this other than the FBI report.[6] The relevant FBI file was not given to or listed for the Commission.[7] The FBI should be asked specifically about their source for this report.

2. CIA ATTENTION TO OSWALD'S POLITICAL ACTIVITIES

In the summer of 1963, Oswald engaged in various legal political activities in New Orleans on behalf of the Fair Play for Cuba Committee. He distributed literature on the street several times, once being arrested after getting into a scuffle, and participated in a radio debate.

The FBI sent the CIA copies of six reports entitled "Lee Harvey Oswald" or "Funds Transmitted to Residents of Russia," including four after his return to the U.S. in 1962. This seems proper, since as a former resident of Russia he was of interest to the CIA. It may be more significant, in terms of the extent of CIA attention to domestic dissent, that the FBI also sent the CIA a report entitled "Fair Play for Cuba Committee - New Orleans Division." In fact, this report dealt only with Oswald and "A. J. Hidell," later determined to be his alias.[8]

An attempt should be made to understand the dissemination of that report inside the Agency - that is, to see whether it was processed not only as a report on Oswald but as a report on a politically active group. That might lead to a better understanding of the CIA's handling of such information on other groups.

It should be determined if any CIA personnel (employees or informants) were aware of Oswald's activities in New Orleans. The Warren Report says that the CIA "took note of his Fair Play for Cuba Committee activities in New Orleans."[9] There is no footnote for that statement; it may refer only to the presence of the FBI report on the FPCC in Oswald's CIA file, but that should be checked.

In the CIA file, the "[illegible]s copy" of the FBI report on [illegible] New Orleans FPCC is stamped "Index," and h[illegible]written notations indicate th[illegible]two of the names mentioned were indexed in a standardized (presumably computerized) form. One was Oswald; the other was Carlos Bringuier, an anti-Castro Cuban citizen living in New Orleans.[10]

Apparently these men were indexed to record their connections with the FPCC and the DRE (Revolutionary Student Directorate, possibly a CIA-supported group) respectively. This is in itself of no particular significance in connection with the assassination, but an explanation may shed some light on the CIA's file-building procedures.

4. THE 544 CAMP STREET CONNECTION

The most provocative link between Oswald's activities in New Orleans and the CIA is his use of the address 544 Camp Street on some of his pro-Castro literature. One office in that building had previously been occupied by one of the two principal offices of the Cuban Revolutionary Council, a front organization established by the CIA (reportedly through E. Howard Hunt) in connection with the Bay of Pigs invasion. It is apparently true, as the Warren Report noted,[11] that the CRC had left 544 Camp Street some time earlier, and that Oswald himself never actually rented an office there. However, at the time of the assassination, another office at 544 Camp was occupied by Guy Banister, a former FBI agent who was still active in intelligence work, especially Cuban activities. The Banister connection was never pursued by the Warren Commission.

The 544 Camp connection was extensively publicized at the time of Jim Garrison's "investigation." Numerous reports surfaced of witnesses who could link Oswald with David Ferrie and others who hung around Banister's office. Unfortunately many of these reports come from sources who must be considered unreliable, and who might have had reasons of their own for exaggerating this link. The most promising source of hard evidence on this matter would be a close study of the pre-assassination FBI and CIA records.

From a document not given to the Warren Commission but released to me under the Freedom of Information Act, it can be firmly established that the FBI knew before the assassination about Oswald's use of 544 Camp Street as an address for the Fair Play for Cuba Committee. This fact was not mentioned in the appropriate contemporaneous reports, and was apparently not checked out at the time, even though FBI field offices had been specifically asked to be on the alert for FPCC activities, and the FBI did check out other similar leads (such as the Post Office Box on some of Oswald's literature, and the alias A. J. Hidell).

After the assassination, the FBI hid from the Commission the fact that it had known about Oswald's use of 544 Camp Street earlier, and suppressed the link to Banister by giving his address (531 Lafayette Street) without indicating that it was the same corner building as 544 Camp Street. Even the limited amount of documentary evidence which has not been kept from the Warren Commission and the public strongly suggests that the FBI was keeping hands off Oswald's activities, quite plausibly because the Bureau believed that he was not in fact a pro-Castro activist but was working for Banister or for some official intelligence agency.

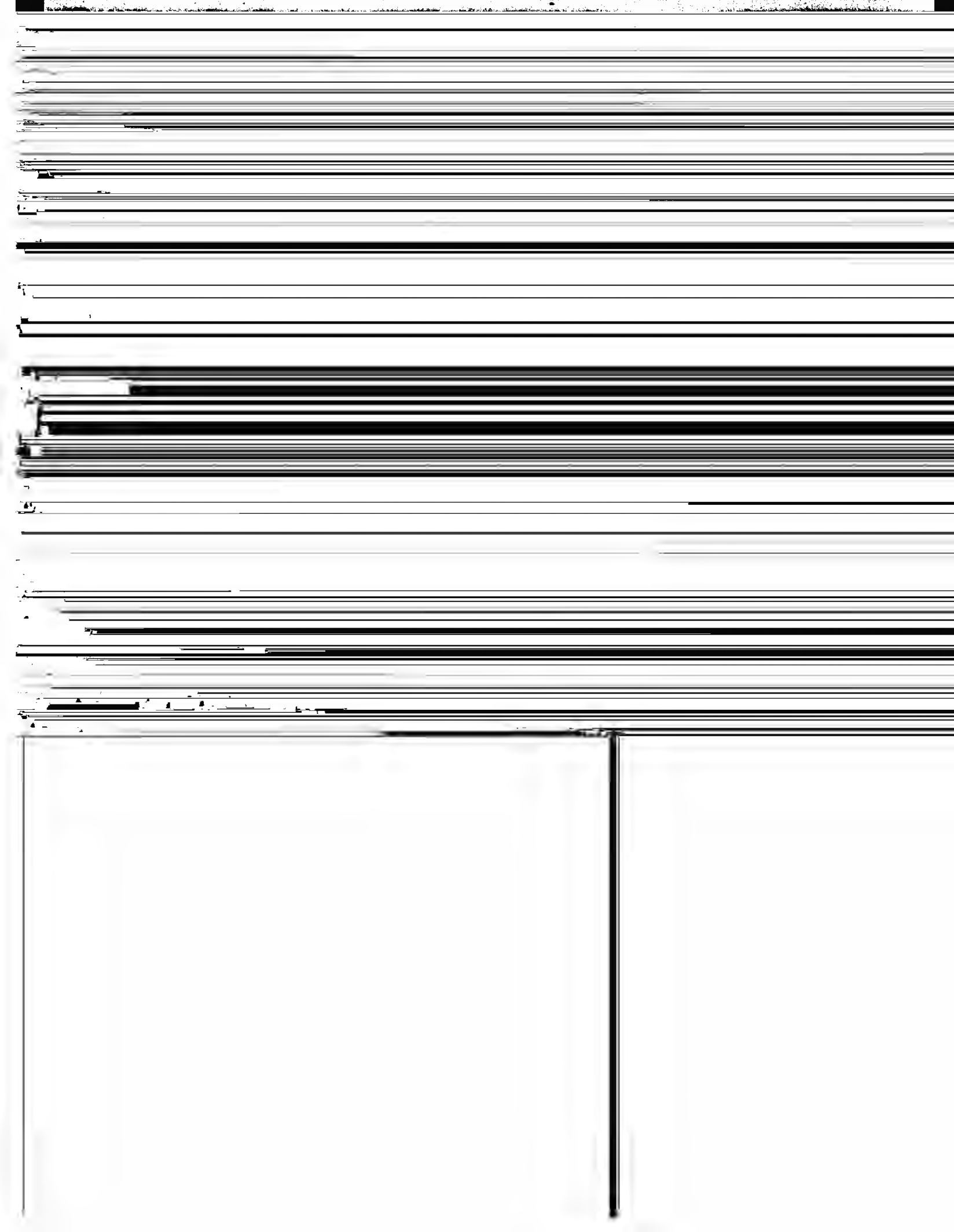
5. ALLEGATIONS THAT OSWALD WAS A CIA INFORMANT

The Commission heard, and was concerned about, allegations that Oswald had been a CIA or FBI informant.[12] The Commission's rebuttal rested largely on affidavits provided by CIA Director John McCone and J. Edgar Hoover.[13] However, the members of the Commission had been told in secret session by Allen Dulles that the CIA would generally not admit someone had been an informant or agent, even under oath, except at the specific direction of the President.[14] This fact, which was apparently not passed on to the Commission's working staff, makes the CIA's pro forma denial totally worthless.

An attempt to resolve this matter now should include interrogation of the appropriate lower-level CIA personnel. One should also try to specify and evaluate the specific situations in which Oswald might have been approached by the CIA. One obvious possibility was on his return from Russia. From the existing record, he was not debriefed by the CIA, which in itself seems odd.[15] Unlike another defector who returned at about the same time, Oswald was not questioned by the Senate Internal Security Subcommittee.[16] (Oswald was met on his return by a case worker for the Travelers Aid Society, who was also an official of an 'anti-Bolshevik' organization with strong intelligence connections.[17]) The extent of the CIA's routine coverage of people returning from Russia is not known, but it was extensive enough to net a photograph taken by a tourist in Minsk which (after the assassination) was found to show Oswald. The question is, therefore, not just whether the CIA ever contacted Oswald, but if not why not.

In 1962, Oswald prepared (and had typed) a manuscript about his life in Russia which was full of the kind of details which might logically be of interest to the CIA. The Warren Report's brief account avoids the evidence that Oswald did not keep all of the material which was typed for him.[18] Inquiries should be made to see if the CIA got any of it, perhaps under circumstances which would not have led to it being filed under his name.

Considerable publicity has been given to allegations that Oswald was a CIA informant for which there is no substantial direct evidence. It should be noted that it is considerably more likely that he had an informant relationship



1. PHOTOGRAPHS OF POSSIBLE OSWALD IMPOSTOR IN MEXICO CITY

In October 1963 the CIA learned of Oswald's visit to the Russian Embassy in Mexico City. Several photographs were obtained, presumably from a Mexican police surveillance camera at the Embassy, of a still-unidentified Embassy visitor who does not physically resemble Oswald. This man was identified as Oswald in a CIA telegram to the FBI before the assassination. The explanation of the mixup in identification, if that is what it was, was not released by the Warren Commission. Some CIA explanation, true or not, is presumably in the withheld documents at the Archives. It may also be that the unidentified man was an associate of Oswald, or an impostor.[21]

2. INTERCEPTED CONVERSATIONS BY OR ABOUT OSWALD IN MEXICO

An FBI report on Oswald in Mexico strongly suggests that the CIA intercepted at least two phone calls between the Cuban and Russian Embassies in which Oswald was discussed. During one phone call Oswald was apparently on the phone himself.[22] The CIA also had detailed knowledge of Oswald's conversation with a guard at the Soviet Embassy, including the fact that he spoke broken Russian; this conversation may also have been bugged.[23] A recording of these calls would be important evidence as to whether an impostor was making some of these contacts on Oswald's behalf. The CIA has declined to tell me whether any such recorded conversations now exist, or to release any relevant records to me.

3. DID E. HOWARD HUNT KNOW OF OSWALD'S ACTIVITIES BEFORE THE ASSASSINATION?

It has been reported that E. Howard Hunt was the CIA's acting station chief in Mexico City during August and September 1963, which might overlap with Oswald's visit starting in late September.[24] Hunt has reportedly denied to the Rockefeller Commission that he met Oswald at that time.[25] It should be determined if Hunt had any knowledge of Oswald's activities, whether or not he met him. This requires an examination of contemporaneous CIA records relating to Oswald, and an understanding of the flow of communications within the CIA station. A number of the internal CIA communications were turned over to the Warren Commission (and are still withheld)[26]; however, they may not include all the information needed to determine who in the CIA station had substantial contact with the Oswald case.

4. THE HANDLING OF THE STORY OF "D"

An attempt should be made to understand what role CIA personnel might have played in building up, disseminating, and then denigrating a report that Oswald had received money to kill Kennedy from someone at the Cuban Embassy in Mexico City.[27] The circumstances suggest that someone with intelligence connections was eager to push the idea that the Cuban government was behind the Kennedy assassination.

The immediate source of the story was Gilberto Alvarado Duarte, a Nicaraguan who said he was trying to get to Cuba on a penetration mission for the Nicaraguan Secret Service. After a few days he reportedly retracted his story, saying that he had made it up to get the U.S. to take action against Castro; then he withdrew this retraction. He ultimately took a lie detector test which showed he was lying; he then said that the lie detector must be correct. This kind of retraction suggests that Alvarado had told the story as an agent who later did not know whose orders to follow.

At first this story was treated with considerable respect. The CIA communications (which went to the White House as well as the FBI, the State Department, and the Secret Service) show that the agency was taking the allegation quite seriously. Alvarado was said to be of questionable reliability but not wholly discredited; the CIA described him as a "very serious person who speaks with conviction."[28]

It is known that President Johnson was concerned about a Castro plot when he set up the Warren Commission, and that he did not accept all the conclusions of the Warren Report; it has been reported that he specifically believed that the assassination was a retaliatory act by the Cuban Communists.[29] That is, the apparent effect of the story of "D" - which may have been intended - was to impress upon President Johnson (and thus ultimately on the Warren Commission) the potential threat of an international incident posed by the reports that Castro was behind the assassination, and (by extension) by any alternative to the lone-assassin hypothesis.

The Warren Report concluded that Alvarado was lying about having seen Oswald, but did not explore the possible implications of a planted false story. It is plausible that a major conscious or subconscious motivation for a coverup was a desire to avoid allegations of conspiracy such as this one which were thought to be untrue but which might lead to very serious problems. Some observers have recognized a pattern of anti-Castro allegations arising from intelligence-related sources, including Watergate burglar Frank Sturgis.[30]

5. CORRELATION OF VARIOUS AGENCY FILES AND ACTIONS CONCERNING OSWALD

The files of the FBI, State, and Marines on Oswald before the assassination reflect various peculiar actions which might be explained not only by Oswald being an agent of the agency which was acting oddly, but by a belief that he was working for someone else. Such an evaluation, of course, would probably never be written down; it would be detectable only through resulting agency actions or omissions.

As far as I know, the Warren Commission never did the required kind of

detailed comparative study of the intelligence agency files. Considerable attention was given to the most striking anomalies in the State Department file, notably the Department's efforts to facilitate Oswald's return from Russia, and the ease with which he got a new passport in late 1963. Even in the case of the State Department, however, the Commission did not get into all the major questions about the evaluation of Oswald. For example, the Commission examined the reasons why the Passport Office did not react to the CIA telegram about Oswald's visit to the Russian Embassy, but failed to explore the reaction of others, primarily the Office of Security, for whom the telegram was more relevant.

The relatively sparse CIA file does not reflect any such strikingly peculiar actions. However, close study of the CIA file by an expert might reveal if they did anything odd in the Oswald case. It is quite possible, for example, that someone in the CIA recognized that his defection and return might have been a mission for (e.g.) military intelligence, and that the Agency therefore kept away from his case, making no attempt to question him about his stay in Russia.

6. POSSIBLE UNUSUAL CIA INTEREST IN DEFECTORS

In 1960, the year after Oswald's move to Russia, the CIA and the State Department exchanged some correspondence relating to defectors in general. The purpose of this study, which included compiling statistics and making lists of Americans who had defected, is not clear. Although this material was given to the Warren Commission, apparently no explanation was asked for or provided.

There have been rumors that Otto Otepka, who worked on this project and with Oswald's file while he was head of the State Department's Office of Security, was suspicious of the way the Oswald case was handled. He should be given the opportunity to present any relevant information he might have.

7. POSSIBLE CIA CONTACT WITH OSWALD THROUGH ALEXIS DAVISON

Oswald's notebook contained the name and address of a Russian living in Atlanta who was identified as the mother of the U.S. Embassy Doctor, Alexis Davison. Davison had routinely examined Oswald's wife when the couple was preparing to return to the U.S. in 1962. Davison gave no persuasive explanation of why he gave his mother's address to the Oswalds, suggesting only an understanding that they could look her up if they happened to be in Atlanta. Davison told the Secret Service he did not remember the Oswalds, but later recalled the contact quite clearly for the FBI and said he did not recall giving his mother's address to any other people who were going back to the U.S.[31]

In December 1962, Davison was charged by the USSR with receiving information from the American spy Oleg Penkovsky. Evidently, in addition to his

official duties as a medical doctor and an Assistant Air Attaché, Davison was engaged in very sensitive intelligence work. It should be determined if he had any contact with Oswald in that capacity, or reported to any intelligence agency about him.

8. REPORT OF DALLAS CIA AGENT FAMILIAR WITH OSWALD

George DeMohrenschildt, a man with many hints of intelligence connections in his own background who helped the Oswald family in Dallas, testified that before doing so he asked one or more of his friends if that would be okay. One person whom he said he may have asked about Oswald was J. Walton Moore, who he thought was an FBI agent.[32] Moore was probably in fact with the CIA; he interviewed DeMohrenschildt at length in 1957 after his trip to Yugoslavia. He did have an office in a government building and was listed as an "employee, U.S. government;" the FBI told DeMohrenschildt that Moore was not with the FBI.[33]

The Warren Commission seems not to have been interested in this or other reports that the government had indicated that Oswald was not someone who had to be avoided.[34] An attempt should be made to identify Moore's employer, determine what he knew about Oswald, and what he may have told DeMohrenschildt or anyone else.

9. ALLEGED PRESENCE OF CIA AGENT AT PARKLAND HOSPITAL

Within an hour of the assassination, a CIA agent presented his credentials to a Secret Service agent at Parkland Hospital and said that he would be "available." It is not clear what he might have been expected to do. A short time later an unknown FBI agent had to be forcibly restrained from entering the emergency room.[35] Apparently the Commission did not investigate either of these occurrences. As far as I know the CIA was not asked what action they may have taken in Dallas or in Washington after Kennedy was shot or after Oswald was arrested.

10. QUESTIONABLE RECORDS OF OSWALD'S SECURITY CLEARANCE

One of the peculiarities in Oswald's military records which is suggestive of an intelligence connection has to do with his security clearance. The personnel file which was given to the Commission by the Marine Corps reflected only that Oswald had been given a Confidential clearance. However, persuasive testimony indicated that Oswald (like the other men in his unit) must have been cleared at least for Secret information. When the Commission staff asked about this discrepancy, the Marine Corps said, in effect, that if Oswald was doing Secret work then he must have had Secret clearance.[36] The Commission apparently did not press for a proper answer or otherwise resolve this problem.

irregularities of this kind at least raise the possibility that Oswald had been "sheep dipped" - that is, that he was formally discharged from the Marines while actually continuing government employment for some sort of intelligence work. There is firm evidence that the Department of Defense was not telling the truth when it claimed that it had given the Warren Commission all of its records on Oswald. His pay records, for example, were submitted months after that claim. There is solid documentary evidence of other omissions. There are also hints of further missing records: the FBI was told soon after the assassination that the CIC and CID files at the California base where Oswald had served in 1959 had nothing on Oswald; some of the California Marine Corps files had been forwarded to Washington.[37] These files might be expected to contain the records of any investigation for a high-level clearance.

11. ALLEGED PHOTO OF HUNT AND STURGIS IN DALLAS

The Rockefeller Commission is reportedly checking out and rebutting the allegation that E. Howard Hunt and Frank Sturgis (also known as Fiorini) appear in the photographs of several men apparently picked up by the Dallas police immediately after the assassination. These photographs represent an authentic unresolved mystery, it is true; however, the men pictured have been "positively identified" on previous occasions, as other "suspects" in the assassination.

Aside from the absence of any striking similarity in appearance, it is inherently most unlikely that a professional intelligence operative like Hunt (who got a wig just to interview Dita Beard) would get himself photographed without a disguise at the scene of an assassination if he had anything to do with it.

While such allegations should be seriously checked out, they should not be allowed to distract attention from more plausible but less spectacular evidence of improper CIA activities in connection with Oswald or the assassination investigation. To allow that to happen would be to invite disinformation efforts by the Agency and its friends.

C. STATEMENT BY JAMES ANGLETON

It is quite possible that a CIA investigation of the assassination of President Kennedy was among the domestic activities which recently caused concern within the Agency. At the time of his resignation as head of the CIA's Counter-intelligence Division, James Angleton was quoted as making the following remarks when Seymour Hersh asked about alleged CIA wrongdoing and his domestic activities: "A mansion has many rooms and there were many things going on during the period of the [anti-war (NYT addition)] bombings. I'm not privy to who struck John."[38]

from the context of Angleton's statement, it is impossible to ascertain what he may have been referring to. "Who struck John" may be a literary reference or cliche which is not familiar to me. It may have been a reference to some other John - e.g., Mitchell. Also, it is conceivable that "Who Struck John" was some sort of code name for a CIA study of the Kennedy assassination.

Angleton should be asked to explain that statement, and whether he is aware of any CIA investigations of Oswald or the assassination, particularly any which may have reached conclusions different from the Warren Commission's. Regardless of what Angleton now says he meant by his comment, an intended reference to John Kennedy seems as likely as any other explanation.

D. AVAILABILITY OF DOCUMENTARY MATERIAL

Warren Commission Document [CD] 692 purports to be an exact copy of the CIA's pre-assassination dossier on Oswald. Of the material predating Oswald's October 1963 trip to Mexico, almost all has been released; most is information from other agencies. A good part of the Mexico material is still withheld.[39]

A number of other Commission Documents and internal memoranda deal with the CIA's pre- and post-assassination investigations. Some of the withheld CD's would be very interesting: e.g., CD 935, a Top Secret CIA memo dealing in part with the reaction of the Cuban Intelligence Service to the assassination.[40] Enough of the CIA material submitted to the Commission has been released to provide a basis for the formulation of appropriately specific questions.

Certainly most of the still withheld material should be released at this time. However, overemphasis on the material at the Archives should be avoided. Erroneous claims are frequently made that many of the Warren Commission files have been locked up for 75 years from the date of the assassination. In fact, there is no such fixed-term withholding. All of the withheld material is reviewed every five years, and in addition is subject to agency and judicial review under the Freedom of Information Act when a request is made by any citizen. Some of the withheld material might even remain withheld for more than 75 years. In fact, an extraordinary amount of investigative material (largely raw data in FBI reports) has been released or published. This was done to some degree over the objection of the FBI.

It is probable that the most sensitive material in government files on Oswald never reached the Warren Commission. I am sure that was the case with the FBI files, only a small fraction of which were given to the Commission.

In response to my Freedom of Information Act requests, the CIA has told me that they "are highly in favor of declassifying everything possible in connection with the records of the Warren Commission. The most convincing motive for us to

do this is our firm belief that all the information so declassified would merely go to support the conclusions of the Warren Commission and dispel any possible confusion or suspicion that the continued classification may have raised."[41] (This motive has been balanced against the protection of classified information and intelligence sources and methods.) I expect that this is a sincere opinion, at least as it applies to the CIA material in the Archives. (The following section examines the indications that the CIA did not make a full disclosure to the Commission.) Of course, even the currently available material invalidates many of the Commission's conclusions.

Because of these facts, the demand for release of the Warren Commission's records should be only a part of the demand for full disclosure. At the very least, the CIA should be asked about files other than CD 692 in which there is any reference to Lee Harvey Oswald or to members of his family.

III. THE CIA AND THE INVESTIGATION OF THE ASSASSINATION

A. POSSIBILITY THAT INFORMATION WAS WITHHELD FROM THE COMMISSION

1. FALSE CIA STATEMENT TO THE FBI ON NOVEMBER 22, 1963

On the day of the assassination, an FBI agent from the Washington field office interviewed Birch D. O'Neal of the CIA for the purpose of obtaining "any information" in the CIA files on Oswald. According to the FBI's report, he "learned there is nothing in CIA file [sic] regarding Oswald other than material furnished to CIA by the FBI and the Department of State."[42] That was certainly untrue, most conspicuously with regard to the important CIA-originated material about Oswald's trip to Mexico.[43]

The possibility that the FBI misrecorded the CIA statement must be acknowledged. The Bureau's headquarters file included some CIA-created records, so the Bureau should have known that the CIA claim was wrong when they reported it to the Warren Commission. Whatever O'Neal's exact statement about the CIA file was, it seems clear that the CIA did not want to immediately reveal to the FBI the full extent of their coverage of Oswald, and the serious problems raised (e.g. by the photographs of the visitor to the Russian Embassy).

The significance of this FBI report is not primarily that material was withheld from the FBI, since some of it had been turned over previously and more apparently was forwarded quite soon; it is that at least once the CIA made a false statement about the extent of their Oswald file.

2. TOPICS ON WHICH DISCLOSURE MAY HAVE BEEN LIMITED

(a) Marina Oswald

The FBI told the Warren Commission that their case on Lee Harvey Oswald was

returned to active status in March 1963 as a result of information obtained during an investigation relating to his wife Marina. FBI Agent Hosty testified that it was the FBI's practice to interview immigrants from Communist countries "on a selective basis," and that Marina Oswald had been selected.[44] The results of this FBI practice would seem naturally and properly to be of interest to the CIA. However, the CIA file on Lee Oswald does not give any indication of CIA interest in Marina specifically. There is no apparent reference to any effort by or with the FBI relating to Russian immigrants. (The routine transmittal slips for the FBI reports on Lee Oswald do not refer to the FBI's case on Marina.)

The CIA should be asked to produce any records it has on Marina Oswald. The Agency should be asked if they ever contacted her as a potential informant or otherwise, directly or indirectly. She may well have been known to the CIA through Russians in Dallas, some of whom had links to CIA-supported groups and might well have been reporting to the CIA on the activities of the Russian community.

(b) Oswald's contacts with Albert Schweitzer College

When Oswald left the U.S. in 1959, he had indicated on his passport application that he intended to attend Albert Schweitzer College. This is a small Unitarian-affiliated school in Switzerland specializing in advanced studies in philosophy and the liberal arts.[45] Oswald had indeed been accepted by that school, despite the apparent absence of the proper references and background. When he failed to show up, an investigation was undertaken by the FBI through its Legal Attache in Paris, perhaps in part at the request of Oswald's mother through her Congressman.[46] Since the relevant FBI records have not been made available, I do not know whether any of them were sent to the CIA, but that would have been appropriate. It should be determined if there was any FBI-CIA liaison on this matter (and if not, why not); and, if so, why there is no record of it in the CIA file on Oswald, CD 692.

The CIA, the FBI, and ONI should also be asked if there was any intelligence interest in Schweitzer College, or any direct or indirect government support. That might explain Oswald's peculiar contacts with the College. If the CIA evaluated this matter in documents provided to the Warren Commission, they should be made public.

(c) The unidentified man photographed in Mexico City

(See section II.B.1 supra.) I am confident that the CIA ultimately did provide an explanation of this "mistake" which was good enough to satisfy the Warren Commission. However, there are strong indications that the CIA was not candid with the Commission at first. The Commission first learned about the

photo because it had been shown to [redacted]

ination. However, as late as March 12 the Commission was asking the CIA about Oswald's activities in Mexico and about the photograph apparently without knowing that these matters were related.[47] The CIA had apparently not yet replied to a letter which had been sent a month previously asking for an explanation of the photograph.

3. CIA ASSERTIONS OF FULL DISCLOSURE

CIA Director McCone and Deputy Director Helms testified that the substance of all relevant pre-assassination information had been supplied to the Commission.[48] CD 692 was described in a covering memo as "an exact reproduction of the Agency's official dossier on Lee Harvey Oswald," but it included only a summary of some of the pre-assassination internal CIA messages about Oswald.[49] A Commission staff member went to Langley and saw a computerized printout on Oswald, which he described as including no document which the Commission had not been given in full or in paraphrase.[50]

The CIA should be asked to list (and, if possible, to release) all records not in the "official dossier" which mentioned Oswald. Specifically, since some records had Oswald's middle name as "Henry," the extent of their search involving variant names should be examined.

B. KEY PERSONS IN THE CIA - WARREN COMMISSION INVESTIGATION

Raymond Rocca, who recently resigned from the Counterintelligence Division, was the CIA's liaison with the Warren Commission. Arthur Dooley, who retired in 1973, was apparently one of the CIA men most involved in the investigation.

According to a Commission memo, Richard Helms was one of the two men at a meeting on March 12, 1964 who would have known if Oswald had been a CIA informant.[51] The name of the second man has been withheld. He should be identified and both should be questioned.

It might be particularly useful to ask the following people from the Warren Commission staff about the issues raised in this memo, and about the degree of CIA cooperation with the Commission.

W. David Slawson, now at the U.S.C. Law School, was the junior lawyer who apparently had the most extensive dealings with the CIA. His area of investigation was Oswald's foreign activities. The New York Times has reported that he recently said that the investigation should be reopened.[52]

William T. Coleman, now Secretary of Transportation, was the senior lawyer in the same area.

Wesley J. Liebeler, now with the Federal government in Washington, was reportedly involved in the investigation of the unidentified man photo, and was

reportedly unable to get satisfactory explanation from CIA for their misidentification of the [redacted] as Oswald.[53]

Samuel A. Stern, now with Wilmer Cutler and Pickering, in Washington, examined the CIA evaluation of Oswald, particularly from the viewpoint of liaison with the Secret Service and procedures for Presidential protection. He was also involved with investigating the allegations that Oswald was an FBI or CIA informant.

C. THE CIA'S OWN INVESTIGATION OF THE ASSASSINATION

1. CIA CAPABILITY FOR AN INDEPENDENT INVESTIGATION

The CIA, of course, openly worked with the Warren Commission in areas involving foreign activities. In addition, the Agency was given the ability to assess much of the evidence in other areas. At the Commission's request, the FBI sent the CIA not only material with foreign aspects, but also reports on possible subversive activities by Oswald in the U.S.; the FBI also forwarded to the CIA all the major investigative reports coming out of the Dallas office.[54] The Secret Service was also asked to send the CIA a number of its reports, including all interviews of Marina Oswald.[55]

On occasion during the life of the Commission, the CIA actively suggested further investigation. For example, one Agency memo said it was of considerable importance to investigate the report that Oswald had attempted suicide in Russia, and that if necessary his body should be exhumed to see if he really did have a scar on his wrist.[56]

The Warren Commission, constrained by (among other things) the need to make a public report within a reasonable time, did not even adequately pursue all the important leads in the material the FBI did submit. The CIA was not so constrained.

2. UNKNOWN CIA CONCLUSIONS

The CIA interest in the assassination continued after the Warren Commission finished its work. For example, more than two months after the Warren Report came out, the CIA asked for a copy of the Zapruder film of the shooting. According to the FBI, it was requested "for training purposes."[57] Presumably this means for training photoanalysts.

The FBI - Commission study of this film was superficial. Most notably, the Warren Report failed to mention, much less explain, the fact that Kennedy was driven forcefully backwards by the fatal shot (which, according to the Commission, came from behind him). Contrary to expectations, a target does sometimes recoil back towards the gun.[58] It would be interesting to know if the CIA came up with this explanation. In any case, the Agency should reveal what use it made of, and

what conclusions it reached from the Soviet view.

Agency officials testified in May 1964 that they had found no evidence causing them to conclude that there had been a conspiracy, but that the case would never be considered closed.[60] The CIA should be asked to produce their internal reports on the assassination, particularly any which reached conclusions or postdated the Warren Report.

3. CIA ACTIVITIES RELATED TO CRITICS OF THE WARREN REPORT

It would be perfectly proper if the CIA has investigated charges made by the critics alleging foreign involvement in the assassination. Such investigative reports should be made public.

CIA coverage of the critics may have included the dissemination of false reports to draw attention away from serious questions which involved the Agency. Other researchers who have been more active in the investigation than me could no doubt provide details about some of the suspicious incidents and persons.

Jim Garrison charged that the CIA was involved in the assassination and also hindered his investigation. Since the former charge has received wide attention, despite Garrison's lack of substantiating evidence, the CIA should be asked to explain its links with any of the principals in the Garrison matter. This should include suspects, peripheral figures associated with them, investigators, and some of the witnesses and their attorneys; CIA connections with David Ferrie and Guy Banister should be given special attention.[61] If it is true, as Victor Marchetti has reportedly said, that Clay Shaw had been a CIA contact in connection with his foreign trade activities and the CIA was concerned about keeping this fact secret, that might explain some of the strong opposition to Garrison (although it would not add to Garrison's flimsy case that Shaw conspired to kill Kennedy).

The extent of CIA efforts to disseminate derogatory information about the critics should be examined. The Agency did give the Warren Commission a 1937 Gestapo memo on Joachim Joesten, the author of one of the first critical books on the assassination.[62] Information that Joesten had been a member of the German Communist Party, taken from the same memo, was later introduced into the Congressional Record in a report (allegedly written by the CIA) which claimed that his criticism of the Warren Report was part of a "Communist bloc defamation campaign."[63] The Agency should also be asked if it intercepted the mail of, or otherwise interfered with, any of the critics of the Warren Report, in the United States or abroad.

1. This false document says that Ruby was "performing information functions" for Nixon and HUAC in 1947. In fact, Ruby did try to contact the Kefauver Crime Committee in that year, possibly to act as an informant; that was suppressed by the FBI and not explored by the Warren Commission.

2. New York Times [hereinafter "NYT"], Feb. 3, 1975, p. 14.

3. CE [i.e., Warren Commission Exhibit] 821 (17H700 [i.e., Hearings Before the President's Commission on the Assassination of President Kennedy, Vol. 17, page 700]).

4. CE 834, question #1 (17H789-790).

5. NYT Jan. 16, 1975, p. 31. In 1960 the CIA intercepted a letter sent to the Soviet Union by Bella Abzug in connection with her legal work in an estate case. (NYT, March 8, 1975, p. 11)

6. CD [i.e., Warren Commission Document (in the National Archives)] 692, part (a). (See section II.D infra.)

7. That is, the file entitled "Funds Transmitted to Residents of Russia," as distinguished from the file entitled "Oswald."

8. CD 692, part (a), item 4.

9. WR [i.e., Report of the President's Commission on the Assassination of President Kennedy] 326.

10. CD 692, part (a), item 4, pp. 1-2.

11. WR 408; see also WR 290.

12. See, for example, a memo to the files from General Counsel J. Lee Rankin, undated but approximately January 24-27, 1964, entitled "Rumors that Oswald was an undercover agent." The reported CIA informant number, 110669, was apparently not checked out. For the Commission's reaction to these rumors, see "Whitewash IV - JFK Assassination Transcript," written and published by Harold Weisberg.

13. WR 325-7.

14. Washington Post, Nov. 22, 1974, p. 3; Commission executive session transcript for Jan. 27, 1964, p. 153-4 (reprinted in Weisberg book, note 12).

15. The CIA also denied having interviewed Oswald in Moscow. See CD 528.

16. The other defector was Robert Edward Webster. See NYT, 5/25/62, p. 5.

17. WR 713; Peter Dale Scott, Ramparts, November 1973, p. 17.

18. WR 700, but compare 8H330-343 and CE 92.

19. Milton Kaack and Warren C. DeBrueys. Compare CE 825 with CE 826 and CD 692(a)4.

20. CE 835 (17H816).

21. See the article by Fensterwald and O'Toole in the New York Review, April 3, 1975, and the Warren Commission records cited therein.

22. CD 1084D, pp. 4-5.

23. CD 1084D, pp. 5-6; also see draft memo of April 1, 1964, by Coleman and Slawson, p. 3.

24. Tad Szulc, "Compulsive Spy," p. 96-97.

25. NYT Mar. 8, 1975, p. 11.

26. Some are presumably in part (g) of CD 692, for example.

27. WR 307-8; also CD 1084E, Section IX.

28. CD 1000. Some passages [redacted] still withheld.

29. Time, Feb. 10, 1975, p. 10; "The Vantage Point," p. 26-7 (paperback edition); Atlantic, July 1973, p. 39.

30. Peter Dale Scott, Ramparts, Nov. 1973, p. 13.

31. CD 87, SS 569; CD 235; CD 409, p. 3; CD 1115-XIII-103; Wise & Ross, "Invisible Government," p. 268 (paperback edition).

32. 911235-6; CD 555, p. 76.

33. CD 555, p. 76.

34. See, e.g., "Whitewash II" by Harold Weisberg, Ch. 6; CD 950.

35. 1811795-6.

36. CE 1961; Rankin letter of 5/19/64 to Folsom.

37. CD 33, pp. 1-2.

38. NYT Dec. 25, 1974, p. 1.

39. E.g., CD 692(g).

40. Lists of withheld CD's and CIA CD's are available from the author.

41. Letter of Dec. 14, 1971, from L. K. White to the author.

42. CD 49, p. 22.

43. See p. 7 supra.

44. 4H441.

45. WR 688.

46. 1H213; CD 120, p. 4-5; CE 834, items 13, 15-18, 20.

47. Memo of 3/12/64, Slawson to the files, p. 7 (also p. 8); Coleman memo of 3/26/64.

48. 5H122.

49. Slawson memo of 3/12/64, p. 8.

50. Stern memo of 3/27/64 to Rankin; 5H122.

51. Slawson memo of 3/12/64, p. 8.

52. NYT, Feb. 23, 1975, p. 32.

53. Epstein, "Inquest," pp. 93-95 (hard cover edition).

54. Rankin letter to Hoover, 1/31/64; Hoover letter to Rankin, Feb. 5, 1964.

55. Rankin letters to J. Rowley (USSS), Jan. 31 and Feb. 7, 1964.

56. Helms memo to Papich (FBI), Feb. 18, 1964.

57. Hoover letter to Rankin, Feb. 4, 1964 (Weisberg, "Photographic Whitewash," p. 143.)

58. This has been confirmed by an experiment I helped another investigator perform.

59. My request for this information under the Freedom of Information Act is pending.

60. 5H123-4.

61. See, for example, Jim Squires' article in the Chicago Tribune, 3/16/75, p. 1.

62. CD 1532, still withheld.

63. Cong. Rec. 9/28/65, p. 25393; Marchetti & Marks, "The CIA and the Cult of Intelligence," p. 339 (paperback edition).

June 19, 1975

Mr. Clarence M. Kelley
Director
Federal Bureau of Investigation
Washington, D.C. 20535

Dear Director Kelley:

Thank you very much for sending the FBI Lab report regarding spectrographic analysis of certain bullet fragments that were part of the investigation into the assassination of President John F. Kennedy.

At the time of the assassination, one James W. Powell, Special Agent, Region II, 112th Intl., Army Intelligence Corps snapped a 35mm Kodachrome transparancy showing the facade of the Texas School Book Depository. This slide was not included as part of the evidence accumulated by the Warren Commission (see letter from the Archives), however, it was examined by the FBI Lab on January 8, of 1964 (see enclosed document) and assigned the FBI control number K53.

Since the photograph is of prime importance in determining the activities and individuals visable in the windows of the building where the alleged assassin was located, I wonder why it was not make part of the official record?

Does the FBI still have a copy of this crucial photograph?

Sincerely,

FRED T. NEWCOMB

FTN:mkn
Enclosures

14812 McCormick Street
Van Nuys, California 91411

REC-37 62-116060-7
EX-101
7-7
JUN 26 1975

4256

DL 100-10461
RPG:eah

1

Under date of January 8, 1964, the FBI Laboratory furnished the following information concerning a photographic examination requested by the Dallas Office on December 31, 1963:

The corner sixth floor window of the Texas School Book Depository shown in the submitted 35 mm Kodachrome transparency shows boxes stacked in a formation similar to that which has been recorded in other photographs made of this window. Nothing else of significance was determined from the examination of Specimen K53, the 35 mm Kodachrome transparency.

"The above mentioned 35mm Kodachrome transparency was made available by JAMES W. POWELL, Special Agent, Region II, 112th INTC, Army Intelligence Corps, 912 Rio Grande Building, Dallas, Texas, on January 3, 1964."

FD-302 (Rev. 3-3-59)

FEDERAL BUREAU OF INVESTIGATION

INV-5

Report of Individuals and Commercial Interviews

Date January 3, 1964

JFK

JAMES W. POWELL, Special Agent, Region II, 112th INTC, Army Intelligence Corps, 912 Rio Grande Building, advised that on November 22, 1963 he had taken a photograph of the Texas School Book Depository and later turned this photograph in the form of a Kodachrome transparency over to Lieutenant Colonel E. E. BOYD, Region II, Army Intelligence Corps, Dallas.

Mr. POWELL stated that the Kodachrome transparency was obtained from a photograph of the Texas School Book Depositor building which was taken, to his best estimate, approximately 30 seconds following the shots fired at President KENNEDY. POWEL was approximately one-half block east of the intersection of Elm and Houston, and the Presidential Motorcade had already turned west on Elm, when he heard the shots fired at President KENNEDY. He then ran to the southeast corner of the Elm and Houston Street intersection and, seeing some people pointing to the Texas School Book Depository building, he took the picture To his best recollection, this picture was taken at 1/25th of a second at F-11 with his Minolta 35 mm camera, set at infinity. POWELL believes the film used was Kodachrome X with ASA setting of 64. He had the film processed at the Cardinal Card and Camera Store, Dallas, Texas. POWELL stated that he took the picture from across the street in a diagonal direction from the Texas School Book Depository, and estimated the distance as approximately 100 feet.

POWELL stated that upon development, the film disclosed the Texas School Book Depository, and on about the fifth floor, a Negro male was observed in one of the windows. POWELL stated that he could not see anything otherwise significa in this picture.

POWELL stated that he recalls having heard two shots fired and possibly a third. He recalls having questioned a man in the vicinity of the entrance of the Texas School Book Depository, however, he did not obtain the man's identity inasmuch as the Dallas Police Department immediately took the man under control for questioning. POWELL believes this man wa a beer company employee.

CR-206

on 1-3-64 at Dallas, Texas File # DL 100-10461

by Special Agent GEORGE T. BINNEY MVR 20 Date dictated 1-3-64

FD-302 (Rev. 3-3-59) FEDERAL BUREAU OF INVESTIGATION

1 Date January 2, 1964

Lieutenant Colonel E. E. BOYD, Region 2, Army Intelligence Corps, Dallas, Texas, made available a Kodachrome transparency of a scene depicting the Texas School Book Depository Building, which Lieutenant Colonel BOYD stated had been taken by Mr. JAMES N. POWELL of Region 2, INTC.

Lieutenant Colonel BOYD advised that POWELL had stated he took this photograph approximately 30 seconds after the last shot was fired on November 22, 1963, during the assassination of President KENNEDY. According to Lieutenant Colonel BOYD, POWELL indicated he took the picture of the building because several people were pointing to it.

on 12/31/63 at Dallas, Texas 19 File # DL 100-10461

by Special Agent WALLACE R. HEITMAN /gmf Date dictated 12/31/63

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

GENERAL SERVICES ADMINISTRATION

National Archives and Records Service
Washington, D.C. 20408

DATE: October 22, [redacted]

REPLY TO ATTN OF: NNF

SUBJECT: Warren Commission Records (Your letter of September 28, 1971).

Mr. Fred Newcomb
4640 Noble Avenue
Sherman Oaks, California 91404

We have been unable to locate a copy of a 35mm color slide of the Texas School Book Depository Building taken on November 22, 1963, by James W. Powell.

The enclosed copies of Commission Exhibit 541 (2) and CE 541 (3) were made as separate 8 x 10 glossy prints, but only one print was charged to you. Copies of other records you requested are also enclosed.

Sincerely,

Jane F. Smith

(MISS) JANE F. SMITH
Acting Director
Civil Archives Division

Enclosure

Keep Freedom in Your Future With U.S. Savings Bonds

JULY 1973 EDITION
GSA FPMR 101 CFR 101-11.6

UNITED STATES GOVERNMENT

Memorandum

Dep. AD Adm.
Dep. AD Inv.
Asst. Dir.:
Admin.
Comp. Syst.
Ext. Affairs
Files & Com.
Gen. Inv.
Ident.
Inspection
Intell.
Laboratory
Legal Coun.
Plan. & Eval.
Spec. Inv.
Training
Telephone Rm.
Director Sec'y

TO : James B. Adams
Assistant to the Director, FBI

DATE: June 1

FROM : John J. Buckley, Jr.
Special Assistant to the Attorney General

SUBJECT:

I have received the memoranda from Director Kelle dated June 12 and 17, 1975 concerning telephone calls have received from Professor Richard H. Popkin. In th interim I have received another letter from Mr. Popkin copy of which I am enclosing.

Mr. Popkin has told me that the Los Angeles office of the FBI has in its possession tape recordings of conversations with a Louis Castillo who allegedly stated that he was in Healy Plaza with a gun when President Kennedy was assassinated. I have no reason to believe that there is any more substance to this story than there was to any of the prior stories Mr. Popkin has told me. Nevertheless, I am relating this story for your information.

4224x

REC

ENCLOSURE

1975

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

5010-110

2674 Osteocile Drive
La Jolla, Calif. 92037
12 June 1975

Mr. John Buckley
Assistant to the Attorney General of the United States
Department of Justice
Washington
D.C.

Dear Mr. Buckley,

Just to make sure that your secretary gave you the correct list of documents that I am prepared to turn over to the Attorney General, Edward Levi, regarding the relationship between the CIA and the assassination of John F. Kennedy, I have in possession, and will deliver at the Attorney General's convenience, the following:

1-A letter by a CIA agent to the Warren Commission, dated March 20, 1964.

2-A letter from the same CIA agent to Senator Russell explaining the whole plot. The letter explains that "Mr. Oswald and his activities came under my scrutiny during 1962 and 1963"...He was involved in a conspiracy to murder the former Chief Executive during the latter part of September 1963".

3-A letter from the same CIA agent to Senator Kennedy, including the letter to Sen. Russell, and giving more data on the conspiracy.

4-Three FBI reports that the CIA agent "accused the FBI of not attempting to prevent the assassination of President Kennedy."

5-One Secret Service report indicating that Marina Oswald did not recognize the CIA agent.

Needless to say, the Warren Commission did not call the CIA agent as a witness, nor is there any indication that they in any way investigated his claims. And, of course, the Rockefeller Commission, which concluded that "there was no credible evidence of any CIA involvement" in the assassination of Pres. Kennedy, did not call this man as a witness. (The CIA agent says, in his letter to Sen. Russell, "In the summer of 1963 I received instructions to initiate certain action against Mr. Oswald." Other documents I have indicate that the actions involved killing Oswald after the assassination.) Mr. Klapper of the Rockefeller Commission staff refused to listen to my data on this matter.

I trust by now that the Attorney General has received a copy of the telegram Dick Gregory and I sent to President Ford on June 10, 1975, offering our cooperation and our information.

We are at your disposal in bringing our information to the attention of the Attorney General. I have many more documents relating to the matters in the above list.

I will be in touch with you again in a few days about the other matters we discussed on the phone.

7224X

With best wishes,
Sincerely yours very truly,
Fred J. H. Cook

ENCLOSURE

July 17, 1975

REC-37
EX-101 62-109060-7224

Mr. Fred T. Newcomb
14812 McCormick Street
Van Nuys, California 91411

Dear Mr. Newcomb:

Your letter of June 19th has been received.

With respect to your inquiry concerning the photograph taken by Special Agent James W. Powell of the Army Intelligence Corps the individuals appearing in the windows were fully identified. All persons present inside the Texas School Book Depository at the time of the shooting were located and interviewed by use of several other avenues of investigation.

Due to the abundance of other information identifying persons in the building the photo taken by Mr. Powell was not considered to be of prime importance for this purpose. Therefore it was not made part of the official record; however, we do have copies of this photograph.

JUL 17 1975 FBI

Sincerely yours,

C. M. Kelley

Clarence M. Kelley
Director

1 - Los Angeles - Enclosures (5)
1 - Mr. Gebhardt - Enclosures (5)
Attention: Mr. Nettles

NOTE: Response coordinated with Division 6. Correspondent has previously communicated with the Bureau concerning the assassination of President John F. Kennedy and previous responses were handled by the Laboratory Division.

WPH:bak (5)

Dir. ___
Asst. Dir. Adm. ___
Asst. Dir. Inv. ___
Syst. ___
Ident. ___
Intell. ___
Laboratory ___
Legal Coun. ___
Plan. & Eval. ___
Rec. Mgmt. ___
Spec. Inv. ___
Training ___
Public Affs. Off. ___
Telephone Rm. ___
Director Sec'y ___

JUL 1 1975
JUL 9 1976

MAIL ROOM ☐ TELETYPE UNIT ☐

THE WHITE HOUSE OFFICE

REFERRAL

To: The Attorney General

Date: July 1, 1975

DEPT. OF JUSTICE
MAIL ROOM

ACTION REQUESTED

_____ Draft reply for: Pat Kennedy

_____ President's signature.

_____ Undersigned's signature.

_____ Memorandum for use as enclosure to reply.

__x__ Direct reply.

__x__ Furnish information copy.

_____ Suitable acknowledgment or other appropriate handling.

_____ Furnish copy of reply, if any.

_____ For your information.

_____ For comment.

NOTE

Prompt action is essential.

If more than ~~72 hours~~ 2 weeks delay is encountered, please telephone ~~the undersigned immediately;~~ ~~code/ext.~~ Miss Byrne 456-6688

Basic correspondence should be returned when draft reply, memorandum, or comment is requested.

RECEIVED
OFFICE OF THE
ATTORNEY GENERAL
JUL 3 1975

REMARKS:

Initially sent to Commission on CIA Activities -- was returned.

EX 104 REC-36 67-109[illegible] 7225

Description:

17 JUL 23 1975

__x__ Letter: _____ Telegram: Other:

To: The President
From: John J. Popp, 7901 Bothwell, Reseda, Ca. 91355 and Miss Pat Justice, 4771 Hilltop, Cheyenne, Wyoming 82001
Date: April 28, 1975
Subject: JFK assassination and Warren Commission Report.

(2 letters)

By direction of the President:

Roland L. Elliott
Director of Correspondence

RLE:JHH:PB:emp

1 ENCL

(Department or Agency copy)

AUG 11 1975

FEDERAL BU. OF INV.

1975

NOT RECORDED
117 JUL 23 1975

Copy

April 23, 1975

President Gerald Ford
The White House
Pennsylvania Avenue
Washington, D.C.

Dear Mr. President:

I and tens of thousands of other citizens in the Los Angeles area had the alarming and eye opening opportunity to see KCOP-TV Channel 13's "Both Sides Now" programs from 8.00 p.m. to 9.00 p.m. on Thursday, April 24, and Friday, April 25, 1975. The information and films presented by Mort Sahl and his guests concerning the assassination of President John F. Kennedy on November 22, 1963 in Dallas, Texas, and Senator Robert F. Kennedy on June 5, 1968 in Los Angeles, California DEMAND that you and your colleagues in the United States Senate and the House of Representatives quit playing political games and initiate legislation and investigation into these, perhaps the greatest tragedies in the history of our country. These tragedies have been magnified by the obvious efforts of various government agencies, courts of law, and the infamous Warren Commission to cover up the true facts and constitute a terrible and tragic fraud on the American public. The sands of time are running out on elected representatives and government officials who chose to serve unknown masters and purposes rather than the interests of the people who elected them.

I well remember that black day and the grief filled week-end that followed almost twelve years ago, and KCOP's program has stirred the deep anger that I felt then, and brought it to focus again. This country has always stood for truth, honesty, belief in human and God given rights, and it is time - REALLY TIME - to renew your dedication to these principl

I will look forward to your reply and a report on your current activities to bring out the truth in these matters and insist that you support the activity of others in ferreting out all of the facts so that all of those responsible will quickly feel the swift, sure justice which they have escaped from for almost twelve long years.

If I can personally be of any assistance to you or anyone else seeking t truth, I will be pleased to offer whatever time and service I can.

Sincerely,

John J. Popp
7901 Bothwell
Reseda, CA 91335

1223

MAY 11 1975

ENCLOSURE

1 - Mr. Gebhardt
1 - Mr. Nettles
1 - Mr. Mintz
1 - Mr. Moore

July 17, 1975

REC-36 62-107[illegible]-7225

Ex. 104

Mr. John J. Popp
7901 Bothwell
Reseda, California 91335

Dear Mr. Popp:

Your letter of April 28, 1975, to President Ford concerning the assassinations of President John F. Kennedy and Senator Robert F. Kennedy, has been sent to me for reply. It was originally referred to the Commission on CIA Activities, but that Commission expired prior to an answer to your letter being made.

The FBI conducted a prompt, intensive, objective, and thorough investigation of the assassination of President Kennedy. The results of this investigation were fully and accurately reported and furnished to the Warren Commission. After an in-depth review of the voluminous FBI reports and information from numerous other agencies and sources, that Commission reached its conclusions.

MAILED 6 JUL 17 1975 FBI

It is possible to pick out bits and pieces of information in this case and arrive at conclusions at odds with the Warren Commission findings. But these conclusions are not based on the totality of the evidence and are generally matters of personal opinion.

The FBI likewise conducted an extensive investigation into the assassination of Senator Robert F. Kennedy. Since there has been recent publicity in this case regarding investigation and prosecution conducted by California authorities which might possibly lead to judicial action, I do not feel it appropriate for me to comment on it.

Assoc. Dir. ___
Dep. AD Adm. ___
Dep. AD Inv. ___
Asst. Dir.: ___
Admin. ___
Comp. Syst. ___
Ext. Affairs ___
Files & Com. ___
Gen. Inv. ___
Ident. ___
Inspection ___
Intell. ___
Laboratory ___
Plan. & Eval. ___
Spec. Inv. ___
Training ___
Legal Coun. ___
Telephone Rm. ___
Director Sec'y ___

WEN:cjl (8)

SEE NOTE PAGE 2 . . .

REG 30

1 XEROX

AUG 12 1975

AUG 11 1975

MAIL ROOM ☒ TELETYPE UNIT ☐

GPO : 1975 O - 569-920

Mr. John J. Popp

The FBI conducts follow-up inquiries on new allegations in both these cases, where appropriate, but there have been no developments to warrant the reopening of full investigations.

If you have any information of value regarding these cases or coverups in conjunction with them, I would certainly be interested in hearing from you.

I have furnished a copy of this letter to The White House.

Sincerely yours,

Clarence M. Kelley
Director

delivered 1/18/75 FBI

1 - Director of Correspondence (By Liaison)
The White House

1 - Assistant Attorney General
Criminal Division (Encs. - 2)

NOTE: Writer in letter to President Ford states there have been obvious efforts on the part of various Government agencies, courts of law, and the Warren Commission, to cover up the true facts of the assassinations of President Kennedy and Senator Kennedy. He states he is looking forward to a reply and report on current activities to bring out the truth in these matters. He offers his assistance in seeking out the truth. This letter was originally referred by the White House to the Commission on CIA Activities, but was returned unanswered. It was then referred to the Attorney General who referred it to the FBI. No comments are being made in this reply concerning the assassination of Senator Kennedy since there has been much publicity lately regarding ballistics tests conducted by the Los Angeles Police Department, which might lead to legal action for a new trial. Bureau files contain no information readily identifiable with writer.

2928 Klondike Drive
Dallas, Texas 75228
May 2[illegible], 1975

Mr. Alan Steelman
1100 Commerce St.
Dallas, Texas 75202

MAY 29 1975

Mr. Steelman:

I am 25 years old, married, and have one daughter. I am currently in the process of transferring from Eastfield College to the University of Texas at Dallas, and my major field of study is Philosophy. My grade point average at Eastfield as of May, 1975 was 3.82 from a possible 4.00. I am a member of the Naval Reserve, in inactive status, and during my two year tour of duty was assigned to the Naval Security Group, where I was granted five different types of security clearance, two of which were Top Secret (Codeword). I am a lifetime resident of Dallas.

I recently viewed the Abraham Zapruder film of the assassination of President Kennedy. The film raised some doubts in my mind as to the accuracy of the conclusions drawn by the Warren Commission, so I began some research on my own. I have read substantial portions of the Report of the President's Commission on the Assassination of President John F. Kennedy (commonly known as the Warren Report) and the 26 volumes of Hearings Before the President's Commission on the Assassination of President Kennedy (referred to herein as Hearings). It is my opinion that the Warren Commission could have been mistaken in some vital aspects of their conclusions. I think that it would be worth your time to consider the points which follow.

The distance from the sixth floor window to President Kennedy at the head shot (the only shot which can be accurately placed) was 265.3 feet. (Report, p. 110)

The speed of the limousine, while traveling an average speed of 11.2 m.p.h., actually slowed abruptly and then accelerated while the shots were being fired (Hearings, Vol. III, 220-221, 266; VI, 233; VII, 440, 487). Note, this is not after the shots were fired, but during the period of time between the first and last shots.

The rifle allegedly used by Oswald was a 6.5 millimeter Mannlich Carcano Italian military rifle Model 91/38. As to this weapon, J. E. Hoover wrote to J. Lee Rankin, General Counsel to the Commission ".. accuracy of the rifle would depend upon the quality of ammunition us the condition of the weapon at the time of firing and the expertness the shooter..." (XXVI, 103).

R. W. Botts, the District Manager of the Winchester-Western Division of Olin Mathieson, the company the Commission determined manufactured the cartridges, (Report, 646), said that his company made 6.5 ammunition "during World War II" (XXVI, 62), and an FBI firearms expert told the Commission that the 6.5 ammunition was "re-imported into this country and placed on sale" (III, 400). It would seem, then, from the testimony, that the ammunition used was 20 years old.

The October 1964 issue of Mechanix Illustrated typifies the Mannlicher-Carcano as "...crudely made, poorly designed, dangerous and inaccurate...unhandy, crude, unreliable on repeat shots, has safety design fault". In addition, according to J. Edgar Hoover's testimony referring to FBI tests, the Mannlicher-Carcano's "telescopic sight could not be properly aligned with the target, since the sight reached the limit of its adjustment before reaching accurate alignment" (XXVI, 104). Metal shims had to be added to the sight before it could be tested for the Commission (III, 443-444)

While in the Marine Corps, Oswald was tested twice to determine his accuracy with a rifle (Report, 191). In December, 1956, he scored 212 (Report, 191), and in May, 1959, he scored 191, a single point over the minimum for ranking in the lowest Marine Corps category (Report, 191). The last score was described by the head of the Records Branch of the Marine Corps Personnel Department as a "rather poor shot" (Report, 191, 488).

The sequence of rifle fire as described by the Commission was as follows: the first shot hit Kennedy and Connally, the second shot went wild and did not strike in the limousine, and the third shot hit Kennedy (Report, 111-117). The minimum time Oswald had to fire all three shots was 4.8 seconds; witnesses estimated the time at 5 to 6 seconds (Report, 117). The FBI determined that the absolute minimum time required to operate the rifle was 2.3 seconds, and this without aiming at a moving target (III, 407). When shooting at a moving target, it was estimated that 1 second should be added, giving a time of 3.3 seconds for each shot (III, 407). Therefore, the FBI tests put Oswald's firing time at 6.6 seconds. From this, the Commission alleges that Oswald had 2.3 seconds between each shot.

The Commission, then, would have us believe that Oswald shot 100 yards, at a decelerating and then accelerating target (actually two lines of motion are evident, the limousine and Kennedy within the limousine), firing an "inaccurate" rifle considered "unreliable on repeat shots", using 20-year-old ammunition, Oswald himself a "rather poor shot", in a time interval of 4.6 seconds, (or 6.6 seconds, depending on whether you accept the Commission's or the FBI's figures), and accurately struck John Kennedy twice, killing him the second time. This, for me, is very hard to accept.

I have no personal theories as to what happened in Dallas on November 2 1963, but I do feel that the Warren Commission left far too many questions unanswered, and too many gaps in their conclusions.

I therefore urge you to support House Resolution 204. It is my opinion that it would be in the best interests of this country to have the questions surrounding the event resolved, whether the answers support or disagree with the findings of the Warren Commission.

Thank you for your time.

Kenneth D. Shaddock

Kenneth D. Shaddock

UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

WASHINGTON, D.C. 20535

June 27, 1975

JUL 1 1975

Honorable Alan Steelman
House of Representatives
Washington, D. C. 20515

Dear Congressman Steelman:

Your June 11, 1975 letter to the Department of Justice enclosing a letter you received from Mr. Kenneth Shaddock has been referred to me for reply.

As I am sure you are aware, the FBI conducted a thorough investigation into the assassination of President Kennedy and furnished numerous reports to the Warren Commission. That Commission, after careful study of these reports and information from other agencies and sources, arrived at the conclusion that Lee Harvey Oswald acted alone in committing this heinous act.

Due to the voluminous nature of the material available regarding the assassination, it is quite possible for an individual to pick bits and pieces of information and arrive at a conclusion which raises questions as to the findings of the Warren Commission. But, it should be remembered that the Warren Commission considered all available information in toto in arriving at its conclusion.

I trust these comments will be of assistance to you in replying to Mr. Shaddock. I can appreciate his concern, but I do not feel a point-by-point analysis of his questions would be appropriate since some were further explained by the Warren Commission and others are matters of individual judgment.

Sincerely yours,

Clarence M. Kelley
Director

62

ALAN STEELMAN
5TH DISTRICT, TEXAS

COMMITTEES:
GOVERNMENT OPERATIONS
INTERIOR AND INSULAR AFFAIRS

Congress of the United States
House of Representatives
Washington, D.C. 20515

437 Cannon WA

1108 Cannon D

Dep. AD Adm.	
Dep. AD Inv.	
Asst. Dir.:	
Admin.	
Comp. Syst.	✓
Ext. Affairs	✓
Files & Com.	✓
Gen. Inv.	
Ident.	
Inspection	
Intell.	
Laboratory	
Legal Coun.	✓
Plan. & Eval.	
Spec. Inv.	
Training	
Telephone Rm.	
Director Sec'y	

July 8, 1975

Mr. Clarence M. Kelley
Director
Federal Bureau of Investigation
U.S. Department of Justice
Washington, D.C.

Dear Mr. Kelley:

I am in receipt of your letter of June 27 in response to a letter I sent you from Mr. Kenneth Shaddock of Dallas. While I can appreciate your position, I feel that Mr. Shaddock obviously put a lot of time and thought into his letter. In view of the fact that the Department of Justice is probably the best source to which Mr. Shaddock can turn, I would appreciate it if you would give him specific information on at least some of the points he has raised such as citing specific places in the Warren Commission Report which might clear up or further explain the things he is concerned about.

I appreciate your time and assistance in this matter.

Sincerely,

ALAN STEELMAN
Member of Congress
5th District, Texas

AS:bw
enclosures

ENCLOSURE

EX-101
REC-10

JUL 11 1975

FBI - PROC
JUL 11 1975

F.B.I.

THIS STATIONERY PRINTED ON PAPER MADE WITH RECYCLED FIBERS

EX-101

REC-10 - 117060-7226

July 17, 1975

1 - Mr. Gebhardt
1 - Mr. Cooke
1 - Mr. Hall
1 - Mr. Bowers

Honorable Alan Steelman
House of Representatives
Washington, D. C. 20515

Dear Congressman Steelman:

This will acknowledge receipt of your letter of July 8, 1975, concerning the communication received by you from Mr. Kenneth Shaddock of Dallas, Texas, and my previous correspondence to you dated June 27, 1975. I can certainly appreciate that Mr. Shaddock put a lot of time and thought into his letter, which as he pointed out in his last paragraph, was for the purpose of urging you to support House Resolution 204.

A review of Mr. Shaddock's letter indicates his conclusions regarding the assassination of President Kennedy result from an analysis of selected information gleaned from the voluminous Warren Commission Report. The FBI is not in a position to debate such selected analysis or any conclusions drawn therefrom. Our function is investigative in nature and any information developed is reported in accordance with established procedures. We do not provide opinions nor suggest the conclusions to be drawn from our investigations. Please be assured, however, that whenever a pertinent evidentiary issue is raised, which can be resolved by additional investigation, we do not hesitate to conduct same.

MAILED 5
JUL 17 1975
FBI

As indicated in my previous letter of June 27, 1975, any analysis in this matter should be done after consideration of all the pertinent material available. Mr. Shaddock has expressed his opinion which he is certainly entitled to do. To try to point out specific data he should consider would only be argumentative and serve no useful purpose. We must, therefore, respectfully decline to do so.

Sincerely yours,

C. E. Kelley

Clarence M. Kelley
Director

JKH:wss (7)

SEE NOTE PAGE 2

Assoc. Dir. ___
Dep. AD Adm. ___
Dep. AD Inv. ___
Asst. Dir.: ___
Admin. ___
Comp. Syst. ___
Ext. Affairs ___
Files & Com. ___
Gen. Inv. ___
Ident. ___
Inspection ___
Intell. ___
Laboratory ___
Plan. & Eval. ___
Spec. Inv. ___
Training ___
Legal Coun. ___
Telephone Rm. ___
Director Sec'y ___

57 AUG 15 1975

MAIL ROOM ☑ TELETYPE UNIT ☐

GPO 954-546

Honorable Alan Steelman

NOTE: By letter 6/11/75 to the Department of Justice, Congressman Steelman furnished a letter written by one of his constituents which took issue with Oswald's ability to have shot President Kennedy utilizing the weapon, ammunition, etc., as indicated in the Warren Commission Report. The letter was obviously for the purpose to encourage Congressional action in reopening the investigation in this case. By letter 6/27/75 we advised Congressman Steelman that analysis based on bits and pieces of information raises questions as to the findings of the Warren Commission and declined a point by point analysis of Mr. Shaddock's questions. It is noted issues raised by Shaddock are conclusions drawn from his observations of the Zapruder film and extracted data from the Warren Commission Report. By letter 7/8/75 Congressman Steelman requested specific information to "clear up" the things Shaddock is concerned about. This communication is to reply to the Congressman's last communication.

UNITED STATES GOVERNMENT

Memorandum

Assoc. Dir. ___
Dep. AD Adm. ___
Dep. AD Inv. ___
Asst. Dir.:
Admin. ___
Comp. Syst. ___
Ext. Affairs ___
Files & Com. ___
Gen. Inv. ___
Ident. ___
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Laboratory ___
Plan. & Eval. ___
Spec. Inv. ___
Training ___
Legal Coun. ___
Telephone Rm. ___
Director Sec'y ___

TO : MR. CALLAHAN

DATE: 7/14/75

FROM : J. B. ADAMS

SUBJECT: ASSASSINATION OF PRESIDENT
JOHN F. KENNEDY

On 7/3/75 [redacted] telephoned me to advise that he wished to discuss a matter of import with either Mr. Kelley or me in connection with the Kennedy assassination. He did not wish to discuss it over the phone and wished to meet in person. After checking with Mr. Kelley as to his commitments, I advised Mr. [redacted] that Mr. Kelley would be available to see him at his convenience on Monday, 7/7/75, and Mr. [redacted] advised he would clear up some pending appointments and arrange to be in Washington on Monday morning.

Mr. [redacted] met with the Director and me on Monday morning, 7/7/75, and discussed the fact that he had been advised by a source, whose identity he could not reveal but whose reliability he had no reason to doubt, of two allegations which warranted the Bureau's attention but apparently had not been previously brought to the Bureau's attention. One was an allegation that Lee Harvey Oswald had actually visited the FBI Office in Dallas following a visit by Agent James P. Hosty, Jr., to the Pierce residence (actually Paine residence) and possibly left a threatening letter. This visit was later covered up following the assassination of President Kennedy by Oswald. The second episode related to a call made to the Bureau Office in Dallas, before the slaying of Oswald, warning that Oswald would be shot; further, that this information had been conveyed to the Dallas Police Department, however, the following day Oswald was shot.

Mr. [redacted] dictated to Mrs. Metcalf his recollection of the information furnished to him, pointing out that he did not take notes at the time the source was furnishing him the information but later made notes. The results of this dictation are attached along with other notes dictated during the interview with Mr. [redacted]

1 ENCLOSURE
Enclosures
JBA:ams

ST. 109
REC. 87

7226X

CONTINUED OVER

18 NOV 18 1976

Memorandum for Mr. Callahan
Re: ASSASSINATION OF PRESIDENT
JOHN F. KENNEDY

Mr. [redacted] specifically requested that his identity as the source of this information be concealed and not revealed without his permission since his motives might be misunderstood [redacted] but he felt that [redacted] this unverified information at this point, which could do harm to the FBI if untrue, he would prefer to report it to us and if we could determine that there was nothing of substance to the information it could be put to rest [redacted]

Mr. [redacted] was advised by Mr. Kelley that his motives were appreciated; that we would most certainly look into the matter; and that he would be kept advised insofar as our policies would permit.

Following the interview, I contacted SAC Gunderson in Dallas and requested that he come to Washington along with former SAC Shanklin for a meeting on 7/8/75. Mr. Gunderson, Mr. Shanklin, Assistant Director Bassett (Inspection Division) and Supervisor William E. Nettles (General Investigative Division) were briefed concerning the allegations and advised that Mr. Kelley desired to have this matter promptly reviewed and appropriate inquiries conducted to determine whether there is any substance to the information furnished by Mr. [redacted] I also advised them that we are of necessity maintaining Mr. [redacted] confidence during the course of any discussions or interviews which might take place.

Mr. Bassett made available the enclosed information indicating that there was documentation concerning the fact that an anonymous call had been made to the Dallas Office regarding a group that intended to kill Oswald and that this information had been furnished to appropriate authorities, including Chief Curry of the Dallas Police Department. With approval of the Director, I contacted Mr. [redacted] on 7/11/75 and furnished him the location of appropriate documents appearing in the Warren Commission Report consisting of four FD-302s. In accordance with his request, I am mailing to him Xerox copies of the four pertinent pages of the published Warren Commission Report.

I advised Mr. [redacted] that we have not completed our inquiries into the other allegation.

I advised Mr. Levi of receipt of this info personally in Mr. Levi's office 7-8-75 - He was also available 7-9-75 - Cmck

July 7, 1975

Dictated by [redacted]

He emphasized this was paraphrased.

"I think some information may come out which is going to blow the whole lid off this damn Oswald case. Oswald was mad (upset) because the Bureau had his wife (Marina) under surveillance. He wanted the case Agent (who was working on Marina).... Hosty (Agent James P., Jr.) to quit harassing Marina. When he came by the (FBI) offices, he was looking for Hosty. He made a threat, I understand left a threatening letter."

After the assassination, the letter was brought up.... things really hit the ceiling (roof). I heard they destroyed the letter. I am convinced Mr. Hoover and Mr. Shanklin never were told about Oswald coming by.... There were at most 5 or 6, maybe even 7, a secretary who is now in New England.... Hosty and his Supervisor Ken Howe. The secretary said something about it to a friend. The major thing that was wrong, we didn't notify other agencies... the police and Secret Service of Oswald's visit. There are so many people who have come in, lettershave come in, somebody could just have put it aside.... didn't make much of it. That changed the whole course of history.

"Oswald was very upset. He wanted Hosty to stop harassing her. He threatened Hosty. Nobody did the follow-up on this. That's where it went wrong. I don't believe any of this ties to any conspiracy. I don't think there is any truth to any CIA involvement. The only involvement was with the investigation of Oswald in Mexico. The Mexican Embassy thing. He had been to Cuba"

Information conveyed was that Agent Hosty had gone to the Pierce residence seeking to ascertain the location of Oswald for routine follow-up because of his prior trips to Moscow and to Cuba. Lee Harvey Oswald was not at the house. Mrs. Pierce and Marina Oswald were there. Mrs. Oswald apparently was frightened and because of her limited English, did not understand the nature of the visit. She may have even

62-109060-7114

[illegible]

tried to hide behind the refrigerator. She did come out. She did take down the license number of Mr. Hosty's car. That license and his name do appear in the Oswald diary which is part of the Warren Commission testimony.

Source said to own knowledge, the information regarding Oswald's visit was not relayed to the Warren Commission.

The second episode relates to the call which was made to the Bureau offices the day before the slaying of Lee Harvey Oswald in Dallas. According to source, information was conveyed that Oswald would be shot. SA Shanklin sought to contact Police Chief Curry, whose phone was off the hook during the evening. Information concerning the threatening call was conveyed to Dallas PD, who advised that all precautions in transfer from Dallas Jail to County Jail had been taken, including use of armored car. The following day, the armored car was unable to get into basement of Dallas PD because of size of vehicle. The rest is well known.

Mr. [redacted] stated he did talk with Shanklin.

Director: When did you talk with Mr. Shanklin ?

Mr. [redacted] I talked with Mr. Shanklin on same day I called Mr. Adams.

Mr. Adams: Friday

Mr. [redacted] I spoke to Mr. Shanklin on Thursday. He disclaimed knowledge of episode 1. I did not take up episode 2.

Director: You did not - which is the one wherein he tried to get Curry and was unable to do so and talked with someone in the police department.

Mr. [redacted] Yes, sir.

Director: That threat was what, to get Oswald, the threat that Oswald would be killed. That was a call made to the Bureau office without identification given or an unknown threat:

Mr. [redacted] Without identification given, to my knowledge.

Mr. Adams: That may be documented because I would be very surprised if there were not a number of such calls made after the killing of Kennedy or after the Oswald apprehension.

Mr. [redacted] That is my best recollection. It could be the information that that was a threat and said something like, "If you don't have Hosty quit bothering Mrs. Oswald, then some action may be taken against Hosty.

Mr. Adams: Was there any threat made against Kennedy:

Mr. [redacted] None

Mr. Adams: Because this is what's bothering me a little bit about the source is he indicated that they did not follow up notifying Secret Service and police. We would not notify unless a threat against the President, we do not notify about a threat against Agents. If during discussion there had been any threat against Kennedy, but just had been in the office and threatened Hosty beforehand.

[illegible]

USG,

Mr. [redacted] When I took it up with Shanklin, he suggested I talk with you.

Director: You said in the preliminary statement you made to us that this was not related to the Warren Commission?

Mr. [redacted] This was not relayed.

Director: This was from source?

Mr. [redacted] Yes, sir.

Director: The source said that?

Mr. [redacted] Source said to own knowledge the information regarding Oswald's visit was not relayed to Warren Commission.

Director: You also said the source said he has impression no one would admit this even before a firing squad?

Mr. [redacted] No, that is my impression of the conversation.

Director: Would you mind adding source has been in twice and tried to get it erased?

Mr. [redacted] On three occasions source has asked that this information not be in any way conveyed or any identification established.

Director: You also said source has been described as very close to those on the inside?

Mr. [redacted] Yes, sir.

Director: That is your statement.

Mr. [redacted] That is my statement.

Director: You made a statement to the effect that it would hit the ceiling (roof). I thought you said on one occasion, and I think, something is going to come out which will draw this out in the open.

Mr. [redacted] These notes were not based on notes taken in the presence of the individual. They are at best a reconstruction.

Director: Any implication Hosty ---

Mr. [redacted] The visit of Hosty to Pierce home was solely routine, which is apparently part of security precautions on persons who have been in the Soviet Union or whose wives had been -- just routine, a whereabouts check.

Director: Is there any implication within the report of this source that Hosty, however, knew about this?

Mr. [redacted] No, sir.

Mr. Adams: There is no implication that Hosty or Howe knew about --

Mr. [redacted] The visit to the office.

Mr. Adams: --- this visit to the office?

Mr. [redacted] I would think logic that a secretary ---- if a man stopped by to see you or me ---

Mr. Adams: If he made a threat against Hosty, it would be unbelievable it would not be conveyed immediately.

INFORMATION RE:

Anonymous call to Dallas Office regarding group intending to kill Oswald.

From Dallas Report of Robert P. Gemberling, dated 11/30/63, (Bufile 105-82555-505).

Copy disseminated to Warren Commission 12/20/63. Another copy disseminated to Warren Commission 12/23/63.

The attached 4 FD-302s may be found in the Warren Commission Report as follows:

1. Volume XXIV, page 429, Exhibit 2013.

2. Volume XXIV, page 434, Exhibit 2018.

3. Volume XIX, page 772, Exhibit 5087.

4. Volume XXIV, page 436, Exhibit 2021.

ENCLOSURE

FD-302 (Rev. 3-3-59) FEDERAL BUREAU OF INVESTIGATION

1 Date 11/25/63

At 2:30 AM, I received a telephone call at the office of the Dallas FBI from an unknown male who spoke in a calm voice and asked, "I would like to talk to the man in charge."

I told the caller that the SAC was not present at that time and asked him if someone else could help him. The caller then said, "Wait a minute.", and apparently turned the phone over to another man. I am not certain there were two different voices, however, the tone of the unknown caller's voice changed somewhat at this point.

The voice at this point was calm and mature in sound and this person stated as follws: "I represent a committee that is neither right nor left wing, and tonight, tomorrow morning, or tomorrow night, we are going to kill the man that killed the President. There will be no excitement and we will kill him. We wanted to be sure and tell the FBI, Police Department, and Sheriff's Office and we will be there and we will kill him."

The unknown caller hung up without any other statement and without identifying himself in any manner.

I immediately prepared a memorandum reflecting this information and furnished same to SA MILTON L. NEWSOM. I was present when SA NEWSOM furnished this information to the Dallas County Sheriffs Office at approximately 3:00 AM, and to the Dallas Police Department at 3:20 AM.

On 11/24/63 at Dallas, Texas File # DL 39-43
44-1639

by SAC VERNON D. GLOSSUP/ah Date dictated 11/25/63

ENCLOSURE

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

Date 11/25/63

1

Deputy Sheriff, C. C. McCOY, Dallas Sheriff's Office, was contacted at 3:00 AM telephonically. Deputy McCOY advised he was man in charge at that time. Deputy McCOY was advised of information contained in a memorandum of Security Patrol Clerk VERNON R. GLOSSUP, specifically, "I represent a committee that is neither right nor left wing, and tonight, tomorrow morning, or tomorrow night, we are going to kill the man that killed the President. There will be no excitement and we will kill him. We wanted to be sure and tell the FBI, Police Department, and Sheriff's Office and we will be there and we will kill him." McCOY was told that this information came from an unknown male caller.

Deputy McCOY advised he had received a call which he believed identical except the man said, "I represent a committee of around one hundred people who have voted to kill the man who killed the President."

McCOY said Sheriff DECKER was advised of this call and security precautions are being made to protect OSWALD.

McCOY said the unknown caller indicated to him they were advising the Sheriff's Office because they did not want any of the Sheriff's Office men hurt, but they were going to kill the man anyway.

McCOY said plans had been made to transfer OSWALD to the County Jail from the Dallas City Jail at 10:00 AM on November 24, 1963. He said this information had been made public through news releases.

On 11/24/63 at Dallas, Texas DL File # DL File 44-1639 89-43

by Special Agent MILTON J. WILSON/mfr Date dictated 11/24/63

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

ENCLOSURE

62-109164

FD-302 (Rev. 3-3-59) FEDERAL BUREAU OF INVESTIGATION

1 Date 11/25/63

Captain W. B. FRAZIER, man in charge, Dallas Police Department, at 3:20 AM was advised of information received from an unknown caller by Security Patrol Clerk VERNON R. GLOSSUP at the Dallas FBI office, as follows: "I represent a committee that is neither right nor left wing, and tonight, tomorrow morning, or tomorrow night, we are going to kill the man that killed the President. There will be no excitement and we will kill him. We wanted to be sure and tell the FBI, Police Department, and Sheriff's Office and we will be there and we will kill him."

FRAZIER said the Police Department has not received any calls of this type to his knowledge, but he advised he would check other bureau heads in the Police Department to see if a call of this type had been received. He stated he would advise the Dallas office of this information. He said he would give this information to Chief of Police JESSE E. CURRY immediately. He was advised that the Dallas Sheriff's Office received a similar call.

FRAZIER said that plans to transfer OSWALD to the County Jail may be changed in view of this threat, and the Dallas Police Department will keep the FBI advised.

FRAZIER stated that OSWALD's planned transfer had been publicized primarily as a form of cooperation with the press and news agencies of the press, and other news agencies.

DL File 44-1639

on 11/24/63 at Dallas, Texas DL File # 89-43

by Special Agent MILTON L. WILSON/mfr Date dictated 11/24/63

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

FD-302 (Rev. 3-3-59) FEDERAL BUREAU OF INVESTIGATION

1 Date 11/25/63

Shortly after 8:00 AM November 24, 1963 I called Chief of Police JESSE E. CURRY and was unable to reach him. At 8:15 AM, Chief JESSE CURRY called me and first mentioned another matter regarding the evidence which his Department had given us for the FBI Laboratory. I then relayed to him the following, which was given to Security Patrol Clerk VERNON R. GLOSSUP by an unknown caller at 2:30 AM on November 24, 1963: "I represent a committee that is neither right nor left wing, and tonight, tomorrow morning, or tomorrow night, we are going to kill the man that killed the President. There will be no excitement and we will kill him. We wanted to be sure and tell the FBI, Police Department, and Sheriff's Office and we will be there and we will kill him."

Chief CURRY advised me that he had already received this information from one of his officers and that he was taking all precautions. He stated that he had changed his schedule for the moving of OSWALD. He stated he was not going to give this out to the press and that he had two armored cars and that OSWALD would be placed in one of the armored cars and that both of them would go out, which would mean that one of the cars was being used for diversion purposes.

I mentioned to Chief CURRY that according to the employee who received this information from the anonymous caller, that he seemed very calm while talking and could have possibly been reading the statement; he had a very mature sounding voice, and possibly there was another voice heard in the background.

DL File 44-1639

on 11/24/63 at Dallas, Texas DL File #89-43

by Special Agent in Charge J. GORDON SHANKLIN/mfk Date dictated 11/24/63

ENCLOSURE

This document contains neither recommendations nor conclusions of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

UNITED STATES GOVERNMENT

Memorandum

TO : MR. CALLAHAN

DATE: 7/17/75

FROM : J. B. ADAMS

SUBJECT: ASSASSINATION OF PRESIDENT JOHN F. KENNEDY

Associate Dir. ____
Dep. AD Adm. ____
Dep. AD Inv. ____
Asst. Dir.:
Admin. ____
Comp. Syst. ____
Ext. Affairs ____
Files & Com. ____
Gen. Inv. ____
Ident. ____
Inspection ____
Intell. ____
Laboratory ____
Plan. & Eval. ____
Spec. Inv. ____
Training ____
Legal Coun. ____
Telephone Rm. ____
Director Sec'y ____

Mr. Kelley telephonically advised me 7/17/75 that he had this date notified Attorney General Levi of the latest information received from Mr. Bassett that Mrs. Nannie Lee Fenner, currently employed in the Dallas Office, and former Supervisor Ken Howe had admitted that Oswald had visited the Dallas Office prior to the assassination and left a threatening letter. Mr. Kelley further advised the Attorney General that SA Hosty and former ASAC Kyle Clark are being interviewed, after which the results of these interviews will be made available to the Attorney General for purposes of discussion of further appropriate action.

ACTION:

None. For information.

JBA:ams
(3)

1 - Mr. Bassett

REC-87 ST 109

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1976

COMMUNICATIONS SECTION

TELETYPE

NR 017 BA PLAIN

910 PM NITEL 7-2-75 TJH

TO DIRECTOR (62-109060)

DALLAS (100-10461)

FROM BALTIMORE (89-30) RUC

ASSASSINATION OF PRESIDENT JOHN FITZGERALD KENNEDY, DALLAS, TEXAS, NOVEMBER 22, 1963, MISCELLANEOUS INFORMATION CONCERNING, OO:DALLAS.

RE BALTIMORE AIRTEL AND LHM, AUGUST 2, 1971.

ON JULY 1, 1975, INVESTIGATOR EDWARD ROEDER, HOUSE SELECT COMMITTEE ON INTELLIGENCE, TELEPHONICALLY CONTACTED THE WILMINGTON, DELAWARE RESIDENT AGENCY AND REQUESTED INFORMATION CONTAINED IN REFERENCED COMMUNICATION. THIS LHM SETS FORTH ALLEGATIONS MADE BY [redacted], WILMINGTON, DELAWARE, MADE TO BUREAU AGENTS ON JULY 28, 1971, THAT CIA EMPLOYEES HAD GIVEN HER AN AMNESIC TYPE DRUG AND COMMITTED INDISCREET SEXUAL ACTS UPON HER WHILE UNDER THE INFLUENCE OF DRUGS.

INVESTIGATOR ROEDER ADVISED HE HAD INTERVIEWED [redacted] ON JULY 1, 1975 AND DESIRED TO COMPARE ALLEGATIONS [redacted] MADE ON JULY 28, 1971 WITH THOSE ALLEGATIONS SHE CONTINUED

REC-36 62-109060-1222

1 AUG 12 1975

EX-103

1 AUG 21 1975

TO MAKE ON JULY 1, 1975.

MR. ROEDER WAS ADVISED THAT INFORMATION OF THIS NATURE SHOULD BE REQUESTED THROUGH FBIHQ.

FOR THE INFORMATION OF THE BUREAU, SHOULD THE HOUSE SELECT COMMITTEE ON INTELLIGENCE REQUEST THE ABOVE INFORMATION, BUREAU SHOULD REFER TO CAPTIONED BUREAU FILE AND BALTIMORE AIRTEL AND LHM DATED AUGUST 2, 1971.

END

CONFIDENTIAL

FBI

Date: 6/24/75

Transmit the following in _____ (Type in plaintext or code)

Via AIRTEL _____ (Priority)

Dep. A.D.-L. V.
Asst. Dir.:
Admin.
Comp. Syst.
Ext. Affairs
Files & Com.
Gen. Inv.
Ident.
Inspection
Intell.
Laboratory
Plan. & Eval.
Spec. Inv.
Training
Legal Coun.
Telephone Rm.
Director Sec'y

TO: DIRECTOR, FBI (62-109060)

FROM: SAC, DALLAS (89-43) (P)

SUBJECT: ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY
DALLAS, TEXAS
11/22/63
MISCELLANEOUS - INFORMATION CONCERNING

OO: DALLAS

Enclosed is one copy each of the following four described newspaper articles relating to captioned matter:

(1) "The Dallas Times Herald," Dallas, Texas, of 5/22/75, captioned, "FBI eyes on Ruby strippers in JFK case," which article alleges that SHARI ANGEL was interviewed by the FBI on Monday, 5/19/75, in Los Angeles. This article indicates another former stripper from JACK RUBY's Carousel Club, KATHY KAY, was being sought for interview.

(2) "The Dallas Times Herald," Dallas, Texas, of 5/22/75, captioned, "FBI questions Ruby's stripper." This article also relates to an alleged interview of SHARI ANGEL by the FBI at Los Angeles.

REC-2 62-109060-7228

ST 100

(3) The "Fort Worth Star Telegram," Fort Worth, Texas, of 5/23/75, captioned, "FBI denies interviewing former Jack Ruby stripper." This article carries a denial that the FBI had interviewed SHARI ANGEL.

(4) "The Dallas Morning News," Dallas, Texas, of 6/12/75, captioned, "Former Official Concurs With JFK Report."

ENCLOSURE

(2)- Bureau (Enc. 4)
2 - Dallas
RPG:dl
(4)

6-Jun

EIGHT

Approved: _____ Special Agent in Charge

Sent _____ M Per _____

U. S. GOVERNMENT PRINTING OFFICE : 1960 O - 569-929 (11)

DL 89-43

This article reflects that former U. S. Attorney BAREFOOT SANDERS had agreed with the findings of the Warren Commission.

The enclosed articles are submitted for the Bureau's information.

FBI eyes on Ruby strippers in JFK case

The Dallas Times Herald
Dallas, Texas
Page EDITORIAL
Date: 5-22-75
Edition:
Author: Ronald P. [illegible]
Editor:
Title:
Character: 1
or
Classification:
Submitting Office: Dallas

By BILL SLOAN
Staff Writer

A former strip-tease dancer, believed to be the last person to talk with Jack Ruby before his death, has been quizzed by FBI agents and a second stripper from Ruby's old Carousel Club is being sought for questioning, The Times Herald learned Wednesday.

The development comes close on the heels of questioning by federal agents of several Dallas police officers and amid growing hints of a large-scale new FBI investigation into the assassination of President John Kennedy.

The first of the two strippers, now a 42-year-old suburban grandmother, was a featured performer at Ruby's nightclub for three years, appearing under the professional stage name Shari Angel.

Miss Angel told The Times Herald she was interviewed by the FBI Monday in Los Angeles on a wide range of topics, including allegations that Lee Harvey Oswald, the accused assassin of President Kennedy, had visited the Carousel Club on two occasions shortly before the assassination.

The other stripper was identified as Kathy Kay. Miss Kay reportedly told her Carousel co-workers that she had seen —and had, in fact, danced with— Oswald at the club a few days prior to Kennedy's death.

She reportedly left Dallas abruptly on Nov. 24, 1963, the same day Ruby shot Oswald to death in the basement of the Dallas police station, and her present whereabouts are unknown.

According to Miss Angel, the British-born Miss Kay was not a U.S. citizen and may have feared she would be deported if investigators discovered she was in the country illegally.

Five former Ruby employes, including Karen "Little Lynn" Carlin, another featured Carousel stripper, have met violent deaths since the assassination.

Miss Angel herself, who lives under another name in a suburb west of Dallas, said she had gone into

after the Oswald s[illegible] and still fearful of possible re[illegible]

She denies personally having seen Oswald at the nightclub.

In addition to efforts to establish—or disprove—a link between Ruby and Oswald, FBI agents also asked the former dancer about her final conversation with Ruby just three days before his death on Jan. 3, 1967.

Ruby told her at that time, she said, that he believed he was being injected with doses of deadly poison.

"He said, 'They're giving me shots of something to kill me. They're trying to kill off all the Jews,'" Miss An(g)el recalled.

He also urged her to leave the nightclub where she had gone after leaving the Carousel and to take a job as a cashier in a dress shop, she said.

Miss Angel said she was asked to visit Ruby at Parkland Hospital by Sheriff Bill Decker in an effort to "calm him down." She was accompanied to Ruby's room by Decker, Deputy Sheriff Buddy Walthers and another deputy whose name she did not remember.

Decker died of natural causes in 1970 and Walthers was killed while attempting to arrest a suspect at an East Dallas motel in 1969.

Miss Angel said she thought Ruby looked "remarkably healthy" for a man who was supposedly dying of cancer.

"He seemed all right physically, but he acted crazy, out of his [illegible]," she said. "He kept begging me not [illegible] leave him."

Her talk with FBI agents this week was the first contact she had had with the agency since the Warren Commission investigation, Miss Angel said.

J. Gordon Shanklin, special agent in charge of the Dallas FBI office, meanwhile confirmed that a Washington photographic expert and an agent from the local office had interviewed several Dallas police officers who were on the scene at Dealey Plaza when the President was ambushed.

Shanklin said the policemen were shown photos of three "tramps" arrested on a nearby railroad track minutes after the assassination, in an effort to determine the identity of the three, all of whom were quickly released at the time.

Some sources have alleged that the three tramps bore a striking resemblance to persons involved in the Watergate conspiracy, Shanklin said.

Although he said no further questioning of local individuals involved in the assassination and its aftermath is pending "as far as we know," Shanklin did not rule out the possibility of a full-scale investigation.

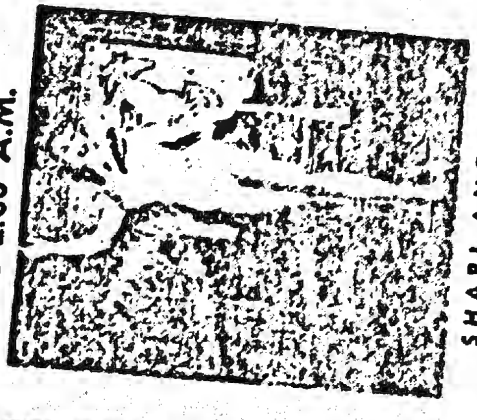
"The Rockefeller Commission asked us to assist in this (the questioning of the police officers)," he said. "If they reopen the investigation, I don't know who they'll have do it."

"As far as our office is concerned, there's nothing further planned now, but that could change overnight."

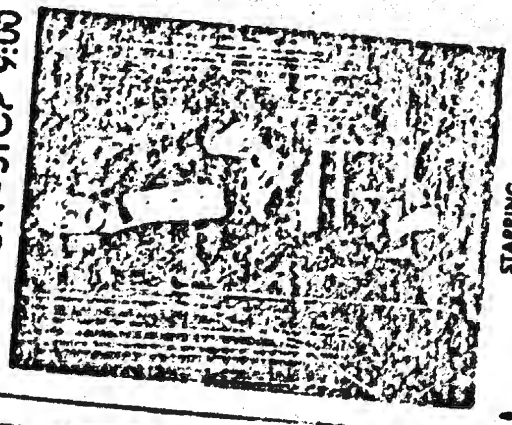


Stripper Shari Angel . . . . . interviewed by FBI

DALLAS' Only BURLESQUE LOUNGE
WITH A
CONTINUOUS GIRL & COMEDY SHOW
NON-STOP 9:00 P.M. 'TIL 2:00 A.M.



SHARI ANGEL
ALSO
BURNY LANE
KATHY KAY — TAWNY ANGEL
FRIDAY: LADIES FREE
SATURDAY: AUDITIONS FOR AMATEUR EXOTICS



STARRING
WALLY WESTON
50-MILE HIKE WINNER
Now Wally's Candid Comments
on Wacky Walk

The NEW CAROUSEL
DALLAS' NEWEST AND MOST INTIMATE BURLESQUE LOUNGE
NOTICE: SOUTHWEST'S ONLY RUNWAY STAGE SHOW BAR —
OFFERING MANY MORE RINGSIDE SEATS THAN ANY OTHER CLUB
WITH BEER AND SETUP SERVICE
R17-2362 FOR RESERVATIONS
T312½ Commerce at Corner of Field
Across from Adolphus Hotel

Nightclub ad listed Miss Angel, Kathy Kay

FBI questions Ruby's stripper

By Bill SLOAN
Staff Writer

A former strip-tease dancer, believed to be the last person to talk with Jack Ruby before his death, has been quizzed by FBI agents and a second stripper from Ruby's old Carousel Club is being sought for questioning, The Times Herald learned Wednesday.

The development comes close on the heels of questioning by federal agents of several Dallas police officers and amid growing hints of a large-scale new FBI investigation into the assassination of President John Kennedy.

The first of the two strippers, now a 42-year-old suburban grandmother, was a featured performer at Ruby's nightclub for three years, appearing under the professional stage name Shari Angel.

Miss Angel told The Times Herald she was interviewed by the FBI Monday in Los Angeles on a wide range of topics, including allegations that Lee Harvey Oswald, the accused assassin of President Kennedy, had visited the Carousel Club on two occasions shortly before the assassination.

The other stripper was identified as Kathy Kay. Miss Kay reportedly told her Carousel co-workers that she had seen —and had, in fact, danced with— Oswald at the club a few days prior to Kennedy's death.

She reportedly left Dallas abruptly on Nov. 24, 1963, the same day Ruby shot Oswald to death in the basement of the Dallas police station, and her present whereabouts are unknown.

According to Miss Angel, the British-born Miss Kay was not a U.S. citizen and may have feared she would be deported if investigators discovered she was in the country illegally.

Five former Ruby employes, including Karen "Little Lynn" Carlin, another featured Carousel stripper, have met violent deaths since the assassination.

Miss Angel herself, who lives under another name in a suburb west of Dallas, said she had gone into hiding for several months immediately after the Oswald slaying and is still fearful of possible reprisals.

She denies personally having seen Oswald at the nightclub.

In addition to efforts to establish— or disprove—a link between Ruby and Oswald, FBI agents also asked the former dancer about her final conver-

Dallas Times Herald
Page B
Date: 5-22-75
Author: Kenneth P. Jr.
Title:
Character:
or
Classification:
Submitting Office: Dallas

sation with Ruby just three days before his death on Jan. 3, 1967.

Ruby told her at that time, she said, that he believed he was being injected with doses of deadly poison.

"He said, 'They're giving me shots of something to kill me. They're trying to kill off all the Jews,'" Miss Angel recalled.

He also urged her to leave the nightclub where she had gone after leaving the Carousel and to take a job as a cashier in a dress shop, she said.

Miss Angel said she was asked to visit Ruby at Parkland Hospital by Sheriff Bill Decker in an effort to "calm him down." She was accompanied to Ruby's room by Decker, Deputy Sheriff Buddy Walthers and another deputy whose name she did not remember.

Decker died of natural causes in 1970 and Walthers was killed while attempting to arrest a suspect at an East Dallas motel in 1969.

Miss Angel said she thought Ruby looked "remarkably healthy" for a man who was supposedly dying of cancer.

"He seemed all right physically, but he acted crazy, out of his head," she

See FBI on Page 5



Stripper Shari Angel . . .
. . . interviewed by FBI

★ FBI EYES ON STRIPPER

Continued from page 1

said. "He kept begging me not to leave him."

Her talk with FBI agents this week was the first contact she had had with the agency since the Warren Commission investigation, Miss Angel said.

J. Gordon Shanklin, special agent in charge of the Dallas FBI office, meanwhile confirmed that a Washington photographic expert and an agent from the local office had interviewed several Dallas police officers who were on the scene at Dealey Plaza when the President was ambushed.

Shanklin said the policemen were shown photos of three "tramps" arrested on a nearby railroad track minutes after the assassination, in an effort to determine the identity of the three, all of whom were quickly released at the time.

Some sources have alleged that the three tramps bore a striking resemblance to persons involved in the Watergate conspiracy, Shanklin said.

Although he said no further questioning of local individuals involved in the assassination and its aftermath is pending "as far as we know," Shanklin did not rule out the possibility of a full-scale investigation.

"The Rockefeller Commission asked us to assist in this (the questioning of the police officers)," he said. "If they reopen the investigation, I don't know who they'll have do it."

"As far as our office is concerned, there's nothing further planned now, but that could change overnight."

FBI denies interviewing former Jack Ruby stripper

DALLAS (AP) — One of Jack Ruby's former strippers says she was interviewed this week by the FBI, but the agency has denied such an interview occurred and said it is unaware of any plans to reopen the Kennedy assassination case.

"I don't know what they're talking about," said Gordon Shanklin, the agent in charge of the FBI's Dallas office, when questioned about a Dallas Times Herald story.

The newspaper reported Thursday that the FBI has quizzed one of Ruby's former strip-tease dancers and that a second stripper from Ruby's old Carousel Club is being sought for questioning.

"The development comes close on the heels of questioning by federal agents of several Dallas police officers and amid growing hints of a large-scale new FBI investigation of the assassination of President Kennedy," the story said.

The first of the two strippers was identified as a onetime featured performer at Ruby's nightclub who appeared under the professional stage name of Shari Angel.

She is said to be living now in a Dallas suburb.

Miss Angel told the Times Herald she was interviewed by the FBI Monday in Los Angeles on a number of topics. One, she said, was an allegation that the accused assassin, Lee Harvey Oswald, had visited the Carousel Club on two occasions shortly before the assassination.

The newspaper also said:

The other stripper, identified as Kathy Kay, reportedly told her Carousel coworkers she had danced with Oswald at the club a few days prior to Kennedy's death Nov. 22, 1963.

She reportedly left Dallas Nov. 24, the same day Ruby shot Oswald to death in the basement of the Dallas police station.

Miss Angel said the British-born Miss Kay was not a U.S. citizen and may have feared she would be deported if investigators discovered she was in the country illegally.

Concerning the Times Herald conversation with Miss Angel, Shanklin said:

"I haven't talked to this girl. I checked with our Los Angeles bureau and they haven't talked to her and my headquarters in Washington hasn't talked to her."

Fort Worth Star-Telegram
Fort Worth, Texas

Page 18-A

Date: 5-23-25

Morning

1175

7221

SEARCHED

(Clerk or the Space Folder)

Former Official Concurs With JFK Report

Former U.S. Atty. Barefoot Sanders said Wednesday an investigation of the assassination of President John F. Kennedy led him to the same conclusions as the Rockefeller Commission.

The commission reported Tuesday that it found "no credible evidence" of any involvement by the Central Intelligence Agency in the Kennedy assassination here Nov. 22, 1963.

The report said also that a study of films and other evidence supported findings of the Warren Commission that Lee Harvey Oswald shot Kennedy while acting alone.

Sanders was U.S. attorney here when a rifleman killed Kennedy and wounded John Connally, who was riding with the President. Sanders worked closely with FBI and Secret Service agents and with the Warren Commission staff during an intensive investigation.

(Indicate page, name of newspaper, city and state.)
"The Dallas Morning News"
Dallas, Texas

Page 12-A

Date: 6-12-75
Edition:
Author:
Editor: Tom J. Simmons
Title:

Character:
or
Classification:
Submitting Office: DALLAS

[ ] Being Investigated

62-109060-7228

JFK
62-109060
SECTION 180
COPY 2

Memorandum

TO : Clarence M. Kelley
Director, Federal Bureau of Investigation

DATE: JUL

FROM : Leon Ulman
Deputy Assistant Attorney General
Office of Legal Counsel

SUBJECT: Records of President's Commission on the Assassination of President Kennedy

Dep. AD Inv.	
Asst. Dir.:	
Admin.	
Comp. Syst.	
Ext. Affairs	
Files & Com.	
Gen. Inv.	
Ident.	
Inspection	
Intell.	
Laboratory	
Legal Coun.	
Plan. & Eval.	
Spec. Inv.	
Training	
Telephone Rm.	
Director Sec'y	

Enclosed is a letter from the Archivist of the United States, with attachments, asking the Department of Justice to review certain documents of the President's Commission on the Assassination of President Kennedy that are presently withheld from research, to determine whether such documents now may be, or must be, disclosed. We would appreciate your designating someone to review the FBI documents mentioned in the Archivist's letter, in view of the 1974 amendments to the Freedom of Information Act, and reporting the FBI's conclusions concerning those documents which may be disclosed, so that we can prepare the Department's report to the Archivist.

This Office is currently reviewing the "Guidelines for Review of Materials Submitted to the President's Commission on the Assassination of President Kennedy," in light of the 1974 amendments to the Freedom of Information Act.

Attachment

FBI - 1973 - 04

National Archives and R[illegible]ls Service
Washin[illegible] 20408

RECEIVED
JUL 9 10 15 AM '75
OFFICE OF LEGAL COUNSEL

JUL 3 1975

Honorable Edward H. Levi
Attorney General
Washington, DC 20530

Dear Mr. Attorney General:

The President's Commission on the Assassination of President Kennedy transferred its records to the National Archives in November 1964 to be "permanently preserved under the rules and regulations of the National Archives and applicable Federal law" (Report of the Commission, p. XV). The records included some documents which are withheld from disclosure by specific statutes, security classified records, investigatory files compiled for law enforcement purposes, and medical and personnel records. It was apparent that the records of the Commission would have to be reviewed on a document-by-document basis in order to identify the relatively few documents of this nature that could not immediately be made available for research.

Reviews of the records have been conducted in accordance with "Guidelines for Review of Materials Submitted to the President's Commission on the Assassination of President Kennedy," which were prepared by the Department of Justice in consultation with the agencies which furnished records to the Commission (copy enclosed; see also the enclosed related memoranda of Attorney General Katzenbach of April 13, 1965, and McGeorge Bundy, Special Assistant to the President, of April 19, 1965). Under these guidelines (page 2) it is the responsibility of the Archivist of the United States to arrange for successive reviews of the records of the Commission that are withheld from research. As it is now five years since the review of the Numbered Document File of the Commission in 1970, it is time for the documents that are withheld from research to be reviewed again as indicated in the last paragraph of the guidelines. The National Archives will be pleased to show the documents withheld from research at the request of your Department to any members of your staff who may be selected to review them. About three linear feet of FBI documents are withheld at the request of the Office of Legal Counsel of the Department of Justice.

These records, of course, should be reviewed under the terms of the Freedom of Information Act (5 U.S.C. 552) as amended, and one or more of the specific exemptions listed in 5 U.S.C. 552 (b) should be cited as the basis for withholding any documents that you request

7229

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OFFICE OF LEGAL COUNSEL

ENCLOSURE

the National Archives to withhold from research. Security classified documents should also be reviewed under the terms of Executive Order 11652 and one of the specific bases for classification of documents listed in the order (Section 5 (B)), as well as the level of classification desired, should be cited as the basis for continued classification of any documents you do not feel should be declassified.

Because of the recent amendments to the Freedom of Information Act, the Department of Justice may wish to revise the guidelines to conform to the terms of that act for future use.

The following staff members of the National Archives may be called for any additional information that may be needed: Mr. Mark G. Eckhoff, Chief, Legislative, Judicial and Fiscal Branch, or Mr. Marion M. Johnson, on Code 13, Extension 23171.

Sincerely,

James B. Rhoads

JAMES B. RHOADS
Archivist of the United States

Enclosure

GUIDELINES FOR REVIEW OF MATERIALS SUBMITTED TO
THE PRESIDENT'S COMMISSION ON THE ASSASSINATION OF PRESIDENT KENNEDY

1. Statutory requirements prohibiting disclosure should be observed.

2. Security classifications should be respected, but the agency responsible for the classification should carefully re-evaluate the contents of each classified document and determine whether the classification can, consistently with the national security, be eliminated or downgraded.

3. Unclassified material which has not already been disclosed in another form should be made available to the public on a regular basis unless disclosure--

(A) Would be detrimental to the administration and enforcement of the laws and regulations of the United States and its agencies;

(B) Might reveal the identity of confidential sources of information and impede or jeopardize future investigations by precluding or limiting the use of the same or similar sources hereafter;

(C) Would be a source of embarrassment to innocent persons, who are the subject, source, or apparent source of the material in question, because it contains gossip and rumor or details of a personal nature having no significant connection with the assassination of the President;

6-10110-7229

ENCLOSURE

(D) Would reveal material pertinent to the criminal prosecution of Jack Ruby for the murder of Lee Harvey Oswald, prior to the final judicial determination of that case.

Whenever one of the above reasons for nondisclosure may apply, your department should, in determining whether or not to authorize disclosure, weigh that reason against the overriding policy of the Executive Branch favoring the fullest possible disclosure.

Unless sooner released to the public, classified and unclassified material which is not now made available to the public shall, as a minimum, be reviewed by the agency concerned five years and ten years after the initial examination has been completed. The criteria applied in the initial examination, outlined above, should be applied to determine whether changed circumstances will permit further disclosure. Similar reviews should be undertaken at ten-year intervals until all materials are opened for legitimate research purposes. The Archivist of the United States will arrange for such review at the appropriate time. Whenever possible provision should be made for the automatic declassification of classified material which cannot be declassified at this time.

APR 23 10 34 AM '65
OFFICE OF LEGAL COUNSEL

THE WHITE HOUSE
WASHINGTON

April 19, 1965

MEMORANDUM FOR THE ATTORNEY GENERAL

SUBJECT: Public Availability of Materials Delivered to the National Archives by the Warren Commission

1. The procedures, described in your memorandum of April 13 about the above subject, have been approved.

2. In coordination with Archives, please instruct the appropriate agencies (a) to conduct the review of documents in accordance with the guidelines set forth in your memorandum and (b) to complete this review by September 1, 1965.

3. At the conclusion of this review, please inform us of the approximate percentage of the material in question which has been designated as available for public access.

McGeorge Bundy

cc: National Archives (Mr. Bahmer)

OFFICE OF THE
RECEIVED
APR 21 1965
ATTORNEY GENERAL

1-10-60 7229
ENCLOSURE

APR 13 1965

MEMORANDUM FOR: Honorable McGeorge Bundy
Special Assistant to the President

RE: Public Availability of Materials Delivered to the National Archives by the President's Commission on the Assassination of President Kennedy.

The Department of Justice has completed the study requested by you in your memorandum of January 13, 1965, concerning the advisability of modifying the usual restrictions which would govern the availability to the public of materials delivered to the National Archives by the President's Commission on the Assassination of President Kennedy. In the course of this study, the Department of Justice has obtained the views of the President's Commission, the Archivist of the United States, the interested Federal agencies and the Dallas Police Department.

Under normal regulations governing access to materials deposited in the National Archives, materials are made available to any competent adult with a definite, serious reason for requesting access, unless there is in effect an overriding restriction on disclosure or disclosure would violate obvious requirements of public policy or propriety. With respect to investigative reports furnished to the President's Commission by Federal agencies, the relevant restriction is a rule of nondisclosure for a period of 75 years unless the agency in which the report originated authorizes disclosure.

The Chief Justice has informed me in a letter dated April 5, 1965, that the President's Commission concluded, after full consideration, that the public availability of the Commission's records was a matter to be resolved by the Attorney General and the participating agencies in accordance with established law and policies

[illegible] - 7229

of the Government. According to the Chief Justice, the Commission assumed that these determinations would be made in light of "the overriding consideration of the fullest possible disclosure." Moreover, the Commission did not desire to restrict access to any of its working papers except those classified by other agencies.

Based on the views of the Commission and the recommendations of the Federal agencies involved (summarized in the Attachment to this letter), the Department of Justice believes that there should be some modification of the normal procedures of the National Archives. The Department recommends that the following procedures be adopted in order to accomplish the most complete disclosure consistent with other legitimate interests:

1. All material furnished to the President's Commission by the Dallas Police Department and the Immigration and Naturalization Service should be made available to the public on a regular basis, since both agencies have authorized full disclosure.

2. Investigative reports and related materials furnished to the President's Commission by other Federal agencies should be administered in accordance with the existing regulations of the National Archives. These agencies should be requested to examine the materials furnished by them with a view to authorizing the immediate disclosure on a regular basis of as much of the materials as possible. (Where materials originated with an agency other than the one furnishing them to the Commission, the decision regarding disclosure should be made by the originating agency.) The following guidelines should be applied:

a. Statutory requirements of nondisclosure should be observed;

b. Security classifications should be respected, but the agency responsible for the classification should consider whether the classification can be eliminated or pared down consistently with the interest in security;

c. All unclassified material which has been disclosed verbatim or in substance in the Report of the President's Commission or accompanying published documents should be made available to the public on a regular basis. (In this connection, it should be noted that the Archivist has advised that a final determination of which reports have been published in whole or in part, verbatim or in substance, will not be available before 1966.)

d. Unclassified material which has not already been disclosed in another form should be made available to the public on a regular basis unless disclosure

1) will be detrimental to the administration and enforcement of the laws and regulations of the United States and its agencies;

2) may reveal the identity of confidential sources of information or the nature of confidential methods of acquiring information, and thereby prevent or limit the use of the same or similar sources and methods in the future;

3) may lead to the incorrect identification of sources of information and thereby embarrass local officials or the agency involved;

4) would be a source of embarrassment to innocent persons, who are the subject or source of the material in question, because of the dissemination of gossip and rumor or details of a personal nature having no significant connection with the assassination of the President;

5) will reveal material pertinent to the criminal prosecution of Jack Ruby for the murder of Lee Harvey Oswald, prior to the final judicial determination of that case.

Where one of the above reasons for nondisclosure may apply, the agency involved should weigh such reason against the "overriding consideration of the fullest possible disclosure" in determining whether or not to authorize disclosure.

c. Except in special cases, documents should be withheld or disclosed in their entirety.

3. Classified and unclassified material which is not made available to the public should be reviewed by the agency concerned five years and ten years after the initial examination has been completed. The criteria applied in the initial examination, outlined above, should be applied to determine whether changed circumstances will permit further disclosure. Similar reviews should be undertaken at ten-year intervals during the remainder of the 75-year period of nondisclosure. The Archivist should undertake to arrange for such review at the appropriate times.

4. When a request for limited disclosure of particular unclassified documents or groups of documents is received by the Archivist, he should communicate such request to the agency concerned, which should consider the request in the light of the criteria outlined above and, whenever consistent with those criteria, authorize the limited disclosure requested. In the application of the criteria, consideration should be given to the qualifications of the person requesting disclosure and the purpose for which the request is made.

It should be noted that the Archivist has indicated that the arrangement and preparation of an inventory of the material turned over to the National Archives by the President's Commission will not be completed until June 1, 1965. Accordingly, it is unlikely that a review of the material turned over to the Commission by the various agencies can be completed before that date. It is suggested that the Archivist be

asked to make arrangements with the various agencies for such review to be undertaken at the earliest possible date, to be carried out on an expedited basis.

The Archivist has advised that the disposition of materials originating with the President's Commission itself has been discussed with Mr. Rankin and that a final decision has been deferred until after June 1. He has advised also that pending a determination of the ownership of physical exhibits, requests for access to them will be referred to the Department of Justice. While it is anticipated that the fullest possible disclosure of these portions of the record will be authorized, in accordance with the desires of the President's Commission, the Department believes that particular decisions as to them should not be made until information regarding them is complete.

If these procedures meet with your approval, this Department will prepare the necessary instructions.

Attorney General

Clarence M. Kelley
Director, Federal Bureau of
Investigation

JUL 22 1975

Leon Ulman
Deputy Assistant Attorney General
Office of Legal Counsel

Records of President's Commission on
the Assassination of President Kennedy

Enclosed is a letter from the Archivist of the United States, with attachments, asking the Department of Justice to review certain documents of the President's Commission on the Assassination of President Kennedy that are presently withheld from research, to determine whether such documents now may be, or must be, disclosed. We would appreciate your designating someone to review the FBI documents mentioned in the Archivist's letter, in view of the 1974 amendments to the Freedom of Information Act, and reporting the FBI's conclusions concerning those documents which may be disclosed, so that we can prepare the Department's report to the Archivist.

This Office is currently reviewing the "Guidelines for Review of Materials Submitted to the President's Commission on the Assassination of President Kennedy," in light of the 1974 amendments to the Freedom of Information Act.

Attachment

UNITED STATES GOVERNMENT

Memorandum

Assoc. Dir. ✓
Dep. AD Adm. ✓
Dep. AD Inv. ✓
Asst. Dir.:
Admin. ✓
Comp. Syst. ✓
Ext. Affairs ✓
Files & Com. ✓
Gen. Inv. ✓
Ident. ✓
Inspection ✓
Intell. ✓
Laboratory ✓
Legal Coun. ✓
Plan. & Eval. ✓
Spec. Inv. ✓
Training ✓
Telephone Rm. ✓
Director Sec'y ✓

TO : Mr. Jenkins

DATE: 7/31/75

FROM : Mr. McDermott

SUBJECT: RECORDS OF PRESIDENT'S COMMISSION ON THE ASSASSINATION OF PRESIDENT KENNEDY

Attached are an original and copy of a memorandum from Leon Ulman, Deputy Assistant Attorney General, Office of Legal Counsel, to the Director dated 7/22/75, with enclosures, under the above caption. On the copy the Director has inquired as to who was handling. This is to advise that Freedom of Information Act (FOIA) Section, Files and Communications Division, will handle.

This memorandum relates to review of FBI documents contained in captioned records which have been previously furnished to the National Archives. The memorandum calls for review of the material in accordance with the provisions of the FOIA, and notes the previously published guidelines used as a criteria for release of data in the past are currently being reviewed by the Department of Justice, Office of Legal Counsel, in light of the 1974 Amendments to the FOIA.

The FOIA Section will contact the appropriate National Archives representatives to arrange for review of material, and will coordinate any release of data with the General Investigative Division and the Intelligence Division. Special Agent Thomas H. Bresson of the FOIA Section has been designated as coordinator in accordance with the request contained in the attached memorandum, and Robert Saloschin, Department's Office of Legal Counsel, was so advised on 7/25/75 in response to his query. It is planned that this request will be handled in chronological order along with our other outstanding FOIA requests.

REC 22 1-109060-

RECOMMENDATION:

None. For information.

61 AUG 13 1975

ENCLOSURE

Enc.

1 - Mr. Gallagher
1 - Mr. Wannall
THB:rar (5)

F.O.I.A.

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

UNITED STATES GOVERNMENT

Memorandum

DEPARTMENT

Dep. AD Inv. ___
Asst. Dir.:
Admin. ___
Comp. Syst. ___
Ext. Affairs ___
Files & Com. ___
Gen. Inv. ___
Ident. ___
Inspection ___
Intell. ___
Laboratory ___
Legal Coun. ___
Plan. & Eval. ___
Spec. Inv. ___
Training ___
Telephone Rm. ___
Director Sec'y ___

TO : Clarence M. Kelley
Director, Federal Bureau of Investigation

DATE: JUL 2

FROM : Leon Ulman
Deputy Assistant Attorney General
Office of Legal Counsel

SUBJECT: Records of President's Commission on the Assassination of President Kennedy

Enclosed is a letter from the Archivist of the United States, with attachments, asking the Department of Justice to review certain documents of the President's Commission on the Assassination of President Kennedy that are presently withheld from research, to determine whether such documents now may be, or must be, disclosed. We would appreciate your designating someone to review the FBI documents mentioned in the Archivist's letter, in view of the 1974 amendments to the Freedom of Information Act, and reporting the FBI's conclusions concerning those documents which may be disclosed, so that we can prepare the Department's report to the Archivist.

This Office is currently reviewing the "Guidelines for Review of Materials Submitted to the President's Commission on the Assassination of President Kennedy," in light of the 1974 amendments to the Freedom of Information Act.

Attachment

EXPROC 14 JUL 23 1975

4 ENCLOSURES

Mr. Dennis to Jenkins memo 7/24/75 THB

ENCLOSURE

62-109060-7224

EX-106

JUL 23 1975

1 Xerox of cover memo only marked for Director Adams 7-24-75

4 F.O.I.A.

DJ-1973-04

The Attorney General

July 29, 1975

Director, FBI

FEDERAL BUREAU OF INVESTIGATION

ASSASSINATION OF PRESIDENT JOHN F. KENNEDY

On July 7, 1975, Assistant to the Director - Deputy Associate Director (Investigation) James B. Adams and I met in my office with an individual who has requested that his identity be concealed. On this occasion this person discussed the fact that he had been advised by a source whose identity he could not reveal, whose reliability he had no reason to doubt, of two allegations which he believed warranted the Bureau's attention but apparently had not previously been brought to the Bureau's attention.

One was an allegation that Lee Harvey Oswald had visited the FBI office in Dallas sometime prior to the assassination of President Kennedy for the purpose of talking to Special Agent James P. Hosty, Jr. In the absence of Mr. Hosty, Oswald allegedly left a note which was threatening in nature. Further, that this visit and note were not properly reported following the assassination of President Kennedy by Oswald.

The same individual related a second episode as furnished to him by his source to the effect that a call was made to the Bureau office in Dallas prior to the slaying of Oswald warning that Oswald would be shot. Further, that this information had been conveyed to the Dallas Police Department. However, the following day Oswald was shot.

You were unavailable on July 7, 1975; however, on the following day, July 8, 1975, I personally advised you of these allegations in your office and also of this Bureau's intention to conduct an inquiry regarding them.

Asst. Dir. ___
Dep. AD Adm. ___
Dep. AD Inv. ___
Asst. Dirs. ___
Admin. ___
Comp. Syst. ___
Ext. Affairs ___
Files & Com. ___
Gen. Inv. ___
Ident. ___
Inspection ___
Intell. ___
Laboratory ___
Plan. & Eval. ___
Spec. Inv. ___
Training ___
Legal Coun. ___
Telephone Rm. ___
Director's Sec'y ___

SENT FROM D.O.
TIME 10 Am
DATE 7-29-75
BY elm

HNB:bhg
(4)

1 - ENCLOSURE

SI 109

REC-87 -2-10776(1)-7229X

The purpose of this memorandum is to advise you of the results of our inquiries.

18 NOV 18 1976

HNB

Xerox copy delivered to Paul Mach for delivering to Mr. Jayne Robinson Criminal Div. of Dept. 10/7/75

NOV 1 1976

MAIL ROOM ☐ TELETYPE UNIT ☐

The Attorney General

Upon my instructions, a conference was held on July 8, 1975, in Mr. Adams' office. In attendance, in addition to Mr. Adams, were Mr. J. Gordon Shanklin who served as the Special Agent in Charge of our Dallas Office from April 22, 1963, until his retirement on June 27, 1975; Mr. Theodore L. Gunderson, the current Special Agent in Charge of our Dallas Office; Supervisory Special Agent William E. Nettles of our General Investigative Division and who has assigned to him the assassination case; and Assistant Director in charge of the Inspection Division Harold N. Bassett. It was my instructions that the Inspection Division would coordinate the inquiries and that Mr. Bassett would personally take charge of same. At this meeting those people in attendance were briefed by Mr. Adams concerning the allegations mentioned above and were told my instructions that the matter must receive prompt and continuous attention.

Initially, it was necessary to conduct an extensive file review both at Bureau Headquarters and in Dallas to determine whether our files contained any information which might shed light on these two allegations. Also, it was necessary to determine, if possible, the identity of the employee who would have been in the position to have received such a note as alleged from Lee Harvey Oswald. There was no information developed as a result of these reviews indicating that Oswald had ever visited the Dallas Office of the FBI or that he had left a note. In fact, a review of pertinent testimony before the President's Commission on the Assassination of President Kennedy disclosed that Ruth Hyde Paine in her testimony on March 19, 1964, testified that Oswald had told her that he had stopped at the downtown office of the FBI and tried to see the Agents and left a note. It was her impression that this note was irritating. By way of background, in the Fall of 1963, Marina Oswald, the wife of Lee Harvey Oswald, was residing at the residence of Mrs. Paine at Irving, Texas, and Oswald would visit his wife at the Paine residence on weekends.

Subsequently in her testimony Mrs. Paine stated that she had learned only a few weeks ago that he never did go to the FBI office. Continuing, she stated "Of course, knowing, thinking that he had gone in I thought that was sensible on his part but it appears to have been another lie." This particular testimony can be found on pages 18 and 19 of Volume III of the hearings before the President's Commission on the Assassination of President Kennedy.

The Attorney General

It is noted that in Mrs. Paine's testimony she does not advise who informed her that Oswald had not visited the Dallas Office. However, the July, 1964, issue of "Redbook" magazine contained an article entitled "Prelude to Tragedy: The Woman Who Sheltered Lee Oswald's Family Tells Her Story." This is an interview of Ruth Paine. On page 88 of that article she stated, ". . . Oswald told me he had tried to contact the Agent although we learned after the assassination from the FBI that he had lied about this."

Our review of pertinent material did disclose information relating to an anonymous telephone call received at the Dallas Office at 2:30 a.m., November 24, 1963, wherein an unknown male stated, ". . . tonight, tomorrow morning, or tomorrow night, we are going to kill the man that killed the President." This information was promptly reported to the Dallas Sheriff's Office and the Dallas Police Department and recorded in our files. The Interview Report Forms pertaining to this information were published by the President's Commission on the Assassination of President Kennedy and may be found in the Commission's Hearings as follows: (1) Volume XXIV, page 429, Exhibit 2013; (2) Volume XXIV, page 434, Exhibit 2018; (3) Volume XIX, page 772, Exhibit 5087; (4) Volume XXIV, page 436, Exhibit 2021. (Copies attached.)

Following completion of the above-referred-to file reviews and in the absence of any information indicating that Oswald had visited the Dallas Office, it was readily apparent that certain interviews would have to be conducted. Accordingly, Assistant Director Bassett made plans to depart for Dallas on the evening of Sunday, July 13, 1975. However, because of another urgent matter his departure had to be delayed. Accordingly he departed for Dallas on the morning of July 15, 1975.

On July 15, 1975, Mrs. Nannie Lee Fenner, a current clerical employee of our Dallas Office, was interviewed and she furnished a sworn statement, a copy of which is attached. In essence, she advised in this statement that approximately one week or ten days prior to November 22, 1963 (the date President Kennedy was assassinated), an individual appeared at the reception desk and asked to see SA Hosty. At that time Mrs. Fenner was serving as the receptionist in the Dallas Office. According to Mrs. Fenner she learned that Hosty was not in and so informed this visitor. He then left an envelope with a note inside. On the envelope there appeared the name SA Hosty. The envelope was not sealed and the note was partially sticking out from the envelope. Mrs. Fenner read the note and according to her recollection it said something like the following:

"Let this be a warning. I will blow up the FBI and the Dallas Police Department if you don't stop bothering my wife.

"Signed Lee Harvey Oswald"

From photographs which Mrs. Fenner later saw in the newspaper she recognized the person who delivered this note to be Lee Harvey Oswald. To her recollection she took this note to then Assistant Special Agent in Charge Kyle Clark (since retired). Clark, after reading the note, stated that he was just a nut and instructed Mrs. Fenner to give it to Hosty. According to Mrs. Fenner, upon returning from Clark's office she showed the note to a Miss Helen May and some time thereafter to a James White and a Joe Pearce. Sometime later in the day she personally gave the note to SA Hosty. Mrs. Fenner recalls that he made some comment to the effect that Oswald was a nut.

It is Mrs. Fenner's recollection that she reported to work on November 24, 1963, and sometime during that day ASAC Clark said to her, "Forget about the Oswald letter." On a subsequent date she asked SA Hosty whatever happened to the Oswald letter to which he replied, "What letter -- I don't know what you are talking about." Further, sometime after this, perhaps two or three days, she was told by Supervisor Kenneth C. Howe to "Forget the letter."

Mrs. Fenner was asked whether she had any personal knowledge as to whether Mr. Shanklin had been aware of this letter. She said she did not but recalled being advised by SA Ural Horton (now retired) in approximately April of this year that he had informed Mr. Shanklin approximately a year previous of Oswald's visit to the Dallas Office and the fact that he left a note. Horton stated that upon telling Shanklin this he "almost jumped out of the car."

Following the interview of Mrs. Fenner, Mr. Bassett proceeded to San Diego, California, the current office of assignment of Kenneth C. Howe. On July 16, 1975, he furnished a sworn statement, a copy of which is attached. He advised in his statement that he recalled having received information that Mrs. Fenner had stated she thought Oswald had been into the office some time prior to the assassination. He stated that he was of the opinion that having heard this comment he mentioned it to either

SAC Shanklin or ASAC Clark. He categorically denied ever telling Mrs. Fenner to "Forget the letter." Following his furnishing of this sworn statement, Howe voluntarily contacted Mr. Bassett and Inspector Francis M. Mullen, Jr., and furnished the following additional information which was also incorporated into a sworn statement, a copy of which is attached.

According to Howe, subsequent to the assassination of President Kennedy, in searching for a serial or file of some sort in the workbox of SA Hosty he came upon a note which obviously appeared to be from Lee Harvey Oswald. He stated that he has no present recollection of the wording in the note but there was no doubt in his mind that it was from Oswald and that to his recollection the note appeared threatening in nature. He stated that he recalled taking the note to either SAC Shanklin or ASAC Clark. He claims that following reporting of this incident that the matter was never discussed by him with anyone and he has no knowledge what action, if any, was taken by the individuals to whom he delivered the note.

I telephonically advised you on July 17, 1975, of the information received from Mrs. Fenner and SA Howe and also that SA Hosty and former ASAC Clark would be interviewed.

Subsequently, on July 21, 1975, Kenneth C. Howe contacted an Inspector who was then conducting an inspection of the San Diego Office. At this time he furnished another sworn statement, a copy of which is attached. According to Howe, in giving this matter additional thought he recalls that upon finding the letter in question in the workbox of SA James Hosty, which appeared to have been prepared by Lee Harvey Oswald, he immediately and personally delivered the letter to then SAC Shanklin. He stated that he is not able to recall the exact date that he found the letter but states it was after Oswald had been arrested and believes that it was after he had been shot. He said that he seems to recall that SAC Shanklin expressed some consternation but cannot remember specifically what he said.

On July 17, 1975, Mr. Bassett departed for Kansas City, Missouri, the current office of assignment of SA James P. Hosty, Jr. He was interviewed on that date and furnished a sworn statement, a copy of which is attached.

Hosty advised that approximately three, possibly four, weeks before the assassination of President Kennedy he recalled coming into the office and Mrs. Fenner, the Bureau's receptionist, gave him an envelope containing a letter with the comment, "Here -- this is from some nut." Hosty advised that to his recollection the letter was in the nature of a complaint, complaining that he had interviewed the wife of the letter writer without this person's knowledge or permission and it said something to the effect "If you want to know something about me come and talk to me directly." Hosty advised that he did not recall any signature on this note and in fact he thought it was from the subject of a case he had handled who had made a complaint alleging his civil rights had been violated and upon his interview of this individual's wife she furnished a different version of the allegations, completely wiping out the civil rights complaint. Therefore, he merely placed this note in his workbox along with other material.

Continuing, Hosty advised that on November 22, 1963, shortly after the assassination he learned that Lee Harvey Oswald was in custody at the police department and also believed to be the assassin of President Kennedy. Upon hearing this name he immediately advised the Special Agent in Charge that Oswald was the subject of one of his cases and immediately obtained the file and brought it to the Agent in Charge. On that same date he assisted in the interrogation of Oswald and upon Oswald learning of Hosty's identity Oswald commented, "So you're Hosty. I have heard about you -- you were the one who was out talking to my wife and bothering her. If you wanted to know something about me you should have come and talked to me."

Hosty advised that following the interview of Oswald he returned to the Dallas Office and sometime during the evening of November 22, 1963, the letter in question, which was in his workbox, was brought to his attention by he believes Supervisor Howe but possibly SAC Shanklin. He claimed they discussed the possibility of this note being from Oswald and although at the time he received it he did not believe it was, based upon statements that Oswald had made to him at the police department, [redacted] (c) they believed it was probable this letter was from Oswald.

According to Hosty, it was his recollection that he was going to include reference to this letter in a report being prepared but after

consultation with he believes SAC Shanklin and Supervisor Howe he was instructed by SAC Shanklin to disregard and destroy the letter. It is his recollection that this letter was then discarded by him in a Bureau wastebasket. Hosty stated that he is absolutely and positively certain beyond a shadow of a doubt that there was no threat to do him or anyone else bodily harm. He would have recalled such a threat and it is his recollection the letter was in the form of a complaint about his bothering the letter writer's wife.

It is noted that Hosty testified before the President's Commission on the Assassination of President Kennedy on April 2, 1964. His sworn testimony may be found in Volume IV on pages 440 - 476. On page 464 of this testimony Mr. Hosty made this statement, "Prior to the assassination of the President of the United States I had no information indicating violence on the part of Lee Harvey Oswald. I wish the record to so read."

Mr. Hosty also advised that he recalled Mrs. Fenner asking him several weeks after the assassination about a letter from Lee Oswald. He stated that he had been instructed by his Agent in Charge not to discuss any of his prior investigation of Oswald with any unauthorized persons and since Mrs. Fenner had the reputation in the Dallas Office of being a loud mouth he did not think he should discuss the matter with her so he answered her question by saying, "What letter," and then changed the subject.

With regard to the previous testimony of Ruth Paine, as well as her comments in the "Redbook" magazine, Hosty claims that sometime in the early part of 1964 Mrs. Paine advised him that Oswald had told her he had gone to the FBI office and had talked to Hosty. Hosty stated that he told her this was not true, he had not talked to Oswald. From this Mrs. Paine may have drawn the conclusion that Oswald had not come to the FBI office in Dallas.

On July 18, 1975, Mr. Bassett proceeded to New York, New York, and conducted an interview with former employee Kyle G. Clark, who is now retired and employed in that city. Attached is a typed copy of his sworn statement.

Mr. Clark was given the opportunity to read the statement furnished by Mrs. Nannie Lee Fenner. Clark advised that the information

in her statement was new and foreign to him. He stated that at no time prior to the assassination was he ever shown a note or made aware of such a note. Further, that he was never aware of nor did he hear any rumors or statements that Oswald had visited the office to see SA Hosty.

On July 21, 1975, former SAC J. Gordon Shanklin voluntarily traveled from Dallas to Washington, D. C., for the purpose of being interviewed. A copy of his sworn statement is attached.

After reviewing the statement furnished by Mrs. Fenner, Mr. Shanklin advised that he had no recollection of the information furnished in her statement ever being brought to his attention until approximately two and one-half weeks ago. (As noted previously, he attended a conference in Mr. Adams' office on July 8, 1975, and in fact the source who furnished the allegations had actually contacted Mr. Shanklin on July 3, 1975, advising Mr. Shanklin of the allegation relative to Oswald's visit to the Dallas Office. Upon being advised of this Mr. Shanklin suggested that this person bring it to the immediate attention of Mr. Adams or me.)

Mr. Shanklin also stated categorically that he had no knowledge or independent recollection of Howe ever bringing the matters he mentions to Mr. Shanklin's attention, either before or after the assassination. Moreover, he advised that he has no independent knowledge of Hosty ever discussing Oswald being at the office, leaving a note for Hosty and was certainly never shown any note by Hosty, Howe, or anyone else. He states unequivocally that he never told Hosty or anyone to destroy any note. He points out that after reading Hosty's description of the note, if there was one and if it had been brought to his attention, he certainly would have instructed that same be included in an appropriate report. He notes further that there would have been no embarrassment as far as he can see to the Bureau or to anyone except possibly Hosty for not handling it a little more expeditiously.

Mr. Shanklin made particular note of the fact that he recalled that some time subsequent to the assassination information came to his attention that Oswald may have been seen in a garage immediately adjacent to the Dallas Office. He recalls that he ordered this matter to be investigated.

The Attorney General

A review of our files disclosed that this matter was indeed investigated, the results of which were furnished to the President's Commission on the Assassination of President Kennedy, but were not used in the publication of the Commission's findings.

With regard to Mr. Shanklin's comment that there would have been no embarrassment to the Bureau had this note become known, he orally pointed out that under the dissemination procedures in effect at that time and assuming that the note contained the comments as alleged by Mrs. Fenner, the Bureau would not have disseminated this information to the Secret Service. Page 444 of the Final Report of the President's Commission sets forth the FBI instructions relative to liaison with other Government agencies which existed at the time of the assassination. A copy of this page, together with the Commission's recommendation that liaison between all Federal agencies responsible for Presidential protection should be improved, is attached.

On July 21, 1975, a conference was held in my office which was attended in addition to me by Messrs. Adams, Bassett, Assistant to the Director - Deputy Associate Director (Administration) Thomas J. Jenkins, and Inspector - Deputy Assistant Director J. Allison Conley of the Inspection Division. A review was made of the material developed to date. It was agreed by those present that four additional interviews would be necessary at this time, specifically, the three individuals whom Mrs. Fenner claimed had read the note, as well as former SA Ural Horton who, according to Mrs. Fenner, told her that he advised Mr. Shanklin of the Oswald visit and note sometime in 1974.

I telephonically contacted you on July 22, 1975, and informed you of our progress to date and that it was necessary to interview four other people before we could furnish a report to you. You were in agreement with this course of action.

On July 22, 1975, James Von White, Miss Helen V. May, and SA Joe A. Pearce were interviewed separately at Irving, Texas, by Messrs. Bassett and Conley. They all furnished sworn statements, copies of which are attached.

Mr. White, a special clerk, was advised of the information furnished by Mrs. Fenner. He categorically denied that Mrs. Fenner had

ever showed him a note and further denied that he had any knowledge of such a note or that Oswald had visited the Dallas Office of the FBI. White pointed out that on November 12, 1963, he reported for assignment as an investigative clerk from the Dallas Office to the Fort Worth Resident Agency. This is confirmed through review of his file. Since the date of this transfer Mr. White has been continuously assigned to the Fort Worth Resident Agency.

Miss May was also advised of the information furnished by Mrs. Fenner. She categorically denied ever seeing the note to which Mrs. Fenner makes reference. She did state, however, that Mrs. Fenner did mention to her that Oswald had come to the Dallas Office and had left a note. She is of the opinion that she was so informed subsequent to the assassination but prior to the time that Oswald was killed. She stated that she does not recall exactly what Mrs. Fenner told her as to the contents of the note but seemed to think there was something about the police department and that Oswald was mad about a dishonorable discharge. She did state that under no circumstances was she informed that the note contained any threat to President Kennedy. In response to a specific question Miss May recalled that Mrs. Fenner had mentioned to her that she had been told to forget having received the note. She claims, however, that if she was informed of the identity of the persons or person who so told Mrs. Fenner she cannot now recall their identities.

SA Joe A. Pearce was informed of the information furnished by Mrs. Fenner. He noted that in November, 1963, he was employed in the Dallas Office as a complaint clerk. Pearce stated that he never saw a note, letter, message, or communication as alleged by Mrs. Fenner. He did recall that possibly several weeks or months after the assassination Mrs. Fenner mentioned to him that Oswald had been in the office prior to the assassination and had delivered a note for SA Hosty. Pearce said that he did not think anything of it, however, since he had heard that Oswald was an informant or source of Hosty and it was not uncommon for sources to occasionally come to the office for the purpose of delivering some note to the contacting Agent. (This particular comment concerning Oswald being a possible source of Hosty's was looked into by the President's Commission and there was no substance whatsoever to this particular claim.) According to Pearce, he cannot recall ever hearing anything further on the subject matter of Oswald's visit to the Dallas Office until sometime subsequent to May, 1974, when Pearce returned to Dallas as a Special Agent. Sometime

after arriving back in Dallas, while in a group with several other Bureau employees in the Dallas Office, Mrs. Fenner made a comment to the effect that the note Oswald had delivered to Hosty contained something about a bomb. He said that in his opinion this statement was nothing more than an exaggeration since Mrs. Fenner has a tendency to exaggerate in the opinion of SA Pearce. He was of the opinion the other employees in this group also had the same reaction. He could not recall who was part of this group but thought possibly SA Drain was present (SA Vincent E. J. Drain). According to Pearce, he was never advised by Mrs. Fenner that she had been told to forget the visit by Oswald.

Ural E. Horton, Jr., retired Special Agent, was interviewed on July 23, 1975, by Mr. Conley at Buffalo, Wyoming. He furnished a sworn statement, a typed copy of which is attached.

Mr. Horton advised that in January of 1974 Mr. Shanklin asked him to accompany Shanklin to Abilene, Texas, for a retirement dinner in honor of former SA Coleman Mabray. While en route by car to Abilene a conversation took place between Shanklin and Horton concerning SA Hosty. Shanklin indicated he had recently been in Kansas City for a conference with Director Kelley and during this conference Director Kelley had mentioned to Shanklin some concern over the reason for Hosty being transferred to Kansas City. The Director, knowing that Hosty had worked for Shanklin in Dallas, asked Shanklin what kind of an Agent was Hosty. Shanklin then asked Horton what he thought of Hosty and Horton stated that he replied he thought Hosty was a "damn fool" if it was true that Hosty had gotten a note from Oswald, not opened a case on him or checked further into it. Horton stated that he made this comment because during the assassination investigation he had heard that Hosty had received a note from Oswald allegedly containing a threat against Hosty. Horton advised that after making these comments to Shanklin the latter acted astonished but he cannot recall any specific words Shanklin might have said if any in response to Horton's comments about Hosty and the note. He said that he had the feeling Shanklin was surprised but he was unable to further explain how he obtained that impression. He advised that he does not recall Shanklin indicated in any way having knowledge of an Oswald note.

Continuing, Horton advised that in either late March or early April, 1975, shortly before his own retirement, there was a conversation in the Dallas Office by several employees concerning a Dallas radio station

commenting on the possibility of reopening the investigation of the assassination. Prior to this discussion Horton had a conversation with SA Drain about the possibility of reopening this investigation and Horton informed Drain of the conversation which he had had with Shanklin in January, 1974, and Shanklin's apparent surprise when Horton mentioned the Oswald note. Sometime later, during this same day, Horton observed SA Drain, Mrs. Fenner and other unrecalled employees engaging in conversation. Mrs. Fenner called Horton at his desk and asked him to come over to the group. On doing so Mrs. Fenner asked Horton about what he had earlier related to SA Drain concerning the Oswald note and the surprise of Shanklin. Horton then related the incident and while he cannot recall the words he used to indicate the surprise of Shanklin he did in some way convey the surprise of Shanklin. Mrs. Fenner then commented as best he could recall Shanklin should have been surprised because she, Mrs. Fenner, saw the damn thing, referring to the note. Horton recalled Mrs. Fenner said the note contained a threat but cannot recall if she said who this threat was against or if she elaborated further in this regard. Horton denied having any first-hand knowledge of Oswald visiting the office or of his communicating in any way with Hosty and has no knowledge if any Oswald communication ever existed and no knowledge as to its possible disposition.

Enclosures (17)
(16)

FBI

Date: 8/11/75

Transmit the following in _____ (Type in plaintext or code)

Via AIRTEL AIRMAIL (Priority)

TO: DIRECTOR, FBI (62-109060)

FROM: SAC, NEW ORLEANS (89-69) (P)

ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY
DALLAS, TEXAS
11/22/63
MISCELLANEOUS - INFORMATION CONCERNING
OO: Dallas

Re Buffalo airtel to Bureau, 6/26/75, and Dallas airtel to Bureau, 7/9/75.

A review of the interview with RICHARD MONROE MARGESON has been conducted and New Orleans concurs with the recommendation of Dallas that no further action is needed.

New Orleans' files do reveal that according to newspaper articles appearing in New Orleans newspapers during January, 1968, reporting District Attorney GARRISON's investigation, GARRISON expressed an interest in LAWRENCE J. HOWARD, JR., as a material witness in his probe. These articles further reported that according to HOWARD's attorney he was afraid to let HOWARD return to New Orleans. Instead of returning to New Orleans, HOWARD had requested GARRISON to send someone to Los Angeles to take his deposition but stated he had no special information to provide GARRISON. These articles further indicate that according to HOWARD he had previously been interviewed by the FBI.

REC-21 62-109060-7230

A subsequent article indicated that HOWARD had come to New Orleans and conferred with GARRISON.

AUG 13 1975

2 - Bureau
1 - Buffalo (62-1827) (Info)
1 - Dallas (89-43) (Info)
1 - Los Angeles (105-15823) (Info)
2 - New Orleans
SMC/pd
(7)

Approved: _____ Special Agent in Charge

Sent _____ M Per _____

U.S.Government Printing Office: 1972 — 455-574

FBI

Date: 8/8/75

Transmit the following in _____ (Type in plaintext or code)

Via: AIRTEL AIRMAIL (Priority)

TO : DIRECTOR, FBI (62-109060)

REC-30

FROM : SAC, SEATTLE (89-47)

SUBJECT: ASSASSINATION OF PRESIDENT KENNEDY

On August 6, 1975, Mr. JAMES W. GALLAHER, white male, date of birth 7/19/21, place of birth Seattle, Washington, SSAN 537-10-6261, current address 4960 East Fifth Street, Anchorage, Alaska, 99504, telephone number 337-1050, voluntarily appeared at the FBI Office at Seattle, Washington, and furnished the following information:

GALLAHER stated that he has made numerous attempts to furnish information regarding captioned matter to several Federal agencies in the past.

GALLAHER stated that during the first week in November, 1963, he was in Baton Rouge, Louisiana.. GALLAHER stated that he was on leave from a Merchant Marine vessel and consequently took up a temporary residence at the Heidelberg Hotel in Baton Rouge, Louisiana. According to GALLAHER, during his brief stay at the Heidelberg he would eat meals at the Captiol House Hotel and Restaurant which was located directly across the street from the Heidelberg. GALLAHER stated that one evening while in the Heidelberg Hotel he overheard a conversation between three men who were standing in the lobby. GALLAHER later identified two of these individuals via the news media as being LEE HARVEY OSWALD and CLAY SHAW. SHAW, according to GALLAHER, was overheard to tell OSWALD, "If we can not elect to office the man we want we will vote him out of office with a rifle."

EX 104 REC-30 62-109060 7231

GALLAHER stated that he furnished this information to the American Consulate at Hamilton, Bermuda, during the

Airtel to SACs AN (enc. 2)
DL (enc. 2)
NO (enc. 2)
SE (enc. 1)

2 - Bureau
2 - Seattle
JKC:skh
(4)

WEN:cdm
8/14/75

22 AUG 11 1975

SECT.

Approved: _____ Sent _____ M Per _____

Special Agent in Charge

U.S. Government Printing Office: 1972 — 455-574

last week of November, 1963, and that in May, 1964, this incident was also reported to Secret Service Agent THOMAS A. TROMBLY, Resident Agent, Anchorage, Alaska.

GALLAHER also stated that during 1963 he sent copies of a tape recording which he made recounting aforementioned incident to Senator EDWARD M. KENNEDY and to the Central Intelligence Agency.

GALLAHER stated that his reason for appearing at the FBI Office Seattle, was for the sole purpose of arranging for a polygraph examination to further establish credibility to his story.

Seattle feels that if GALLAHER has furnished this information to above mentioned individuals and agencies that it has probably been brought to a logical conclusion. Nonetheless, Seattle requests Bureau to check indices and advise Seattle if it is felt there is a need to administer polygraph examination to GALLAHER.

1 - Mr. Nettles
1 - Mr. Wannall

Airtel

To: SACs Anchorage (Enc. 2) 8/14/75
Dallas (Enc. 2)
New Orleans (Enc. 2)
Seattle (Enc. 2)

FX 104 REC-30

From: Director, FBI (62-109060-7231)

ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY
NOVEMBER 22, 1963
DALLAS, TEXAS

Re Seattle airtel to Bureau, 8/8/75.

Enclosed for Anchorage, Dallas and New Orleans is one copy each of referenced airtel which is self-explanatory.

Enclosed for all receiving offices is one copy each of Bureau letter to Anchorage dated 2/4/70, which is also self-explanatory.

A review of Bureau files indicates that in 1970 Gallaher was a seaman in Alaska. His allegations were investigated thoroughly with the results set forth in Dallas report of SA Robert P. Gerberling dated 5/15/64.

Polygraph examination of Gallaher regarding these allegations is not deemed necessary.

WKN:cdm
(11)

MAILED 8
AUG 15 1975
FBI

NOTE: Gallaher voluntarily appeared at Seattle office on 8/6/75 and furnished info re allegedly observing a meeting in Baton Rouge, Louisiana, during first week in November, 1963, between Lee Harvey Oswald and Clay Shaw. He claims he overheard Shaw tell Oswald, "If we cannot elect to office the man we want we will vote him out of office with a rifle." Gallaher requested to be given a polygraph examination to establish credibility to his story. Bureau files show that Gallaher's information has been brought to the attention of the Bureau several times over the years since the assassination. It has been thoroughly investigated and the results were furnished to the Warren Commission.

Assoc. Dir. ___
Dep. AD Adm. ___
Dep. AD Inv. ___
Asst. Dir.: ___
Admin. ___
Comp. Syst. ___
Ext. Affairs ___
Files & Com. ___
Gen. Inv. ___
Ident. ___
Inspection ___
Intell. ___
Laboratory ___
Plan. & Eval. ___
Spec. Inv. ___
Training ___
Legal Coun. ___
Telephone Rm. ___
Director Sec'y ___

MAIL ROOM ☐ TELETYPE UNIT ☐

GPO : 1975 O - 569-920

SAC, Anchorage (44-43) 2/4/70

Director, FBI (105-82555)

LEE HARVEY OSWALD
IS - R - CU

ReANlet 1/23/70.

For the information of Anchorage and in the event James William Gallaher further contacts Anchorage on this matter, the allegations made by him have previously been received by the Bureau. These allegations in slightly different form were first made by Gallaher in December, 1963, to the American Vice Consul in Bermuda. In essence, Gallaher advised, at that time, that on either 11/10, 11, or 12/63, he overheard four men conversing in the Capitol House Hotel, Baton Rouge, Louisiana, andone said, "If we can't put a man in by ballot, we'll get rid of this one with a 30-30." When he first made this allegation, Gallaher made no comment that one of the four men was Lee Harvey Oswald. In the investigation of the assassination of President Kennedy, investigation was conducted at the hotel in Baton Rouge. Persons who worked there were interviewed and photographs of Oswald were shown to them. None could identify the individual making the comment or furnish any information about the remark. All persons interviewed advised they had never seen Oswald at the hotel. Gallaher's allegation and the investigation conducted based upon it were furnished to the Warren Commission.

Gallaher furnished the allegation with some variations to the Seattle Office in February, 1967. He was intoxicated and confused when he first appeared at the Office to make the allegation, and he was recontacted the next day and furnished the information.

No further investigation is called for regarding this allegation.

1 - Dallas (100-10461)
1 - New Orleans (100-10601)

REGISTERED MAIL

DUPLI

August 15,

Dep. AD Inv.
Asst. Dir.:
Admin.
Comp. Syst.
Ext. Affairs
Files & Com.
Gen. Inv.
Ident.
Inspection
Intell.
Laboratory
Legal Coun.
Plan. & Eval.
Spec. Inv.
Training
Telephone Rm.
Director Sec'y

Honorable Edward H. Levi
United States Attorney General
U. S. Department of Justice
Washington, D. C. 20530

REC-56

Dear Mr. Levi:

According to a recent article published in the Los Angeles Free Press, a Professor Richard H. Popkin has presented to you certain so-called discoveries relating to me. The article, written by a former Special Agent of the FBI, also alleges that I am "willing to surface and tell (my) story to Congress."

You are advised that I have never made any such statement, nor did I request or authorize Professor Popkin or anybody else to furnish any material about me or make any claims concerning me to the Department of Justice.

Attached hereto is a xerox copy of the article and a letter, dated August 12, 1975, that I wrote to the editor of the L. A. Free Press in rebuttal to the lies and distortions printed about me in the article.

Also enclosed herewith are xerox copies of the correspondence between Professor Popkin and myself that is pertinent to the issue at hand, and which I believe is self-explanatory.

Sincerely,

Richard C. Nagell

Richard C. Nagell

Enclosures:

ST-110
REC-56

14 AUG 19 1975

CORRESPONDENCE

57SEP2

Registered Mail

August 12, 1975

Ms. Penelope Grenoble, Editor
Los Angeles Free Press
5850 Hollywood Boulevard
Los Angeles, California 90028

Dear Ms. Grenoble:

This letter is in response to the distortions and outright falsities printed about me in the article written by William W. Turner, titled BANK ROBBER, 'MANCHURIAN CANDIDATE' LINKED TO JFK ASSASSINATION PROBE, which appeared in the July 25-31 edition of the Los Angeles Free Press

I request that the Free Press either print a retraction of such lies and distortions or publish this letter.

Mr. Turner, who spent ten years as a Special Agent of the FBI, is not unfamiliar to me. He has authored similar articles, both during my imprisonment in the United States and while I was detained in the German Democratic Republic, in which he knowingly and purposefully cited numerous lies about me. He has proved himself adept at putting words in my mouth and misquoting his sources of information to lend credence to his major untruths, a skill he probably developed while serving with the Bureau's intelligence-security division. His recent claims cause me to wonder whether or not he ever left the FBI.

Professor Richard H. Popkin, from whom Mr. Turner obviously collected much of his latest baloney, is a character that I feel should either purchase a hearing aid or consult a psychiatrist. Each of my so-called discussions with him (all but one occurred over the telephone) were duly tape-recorded by me, and if he did in fact assert what Mr. Turner has attributed to him about me, then he too is a liar.

I am listing the following facts in rebuttal to the Turner-Popkin fable:

The "papers" that I "carried" when arrested did not show me to be a "decorated hero of the Korean War," nor did they reveal anything about "a career in Army intelligence." More to the point, the documents found in my possession and under my control (some of which were returned to me only last year by the FBI) ensured my incarceration for a longer period than I had anticipated. They also guaranteed my being held practically incommunicado for many months (for eleven months I was not even permitted to read a newspaper), not to mention the curtailment of my most basic constitutional safeguards.

My contacts with Lee Harvey Oswald did not entail any "friendship,"

as Mr. Turner, th[redacted] and the CIA damn well [redacted]

I have never stated to anybody, either verbally or in writing, that in 1963 I was an agent for the CIA, although in 1974 I did state, under oath, that I thought I had been functioning for the CIA during part of 1963. Mr. Turner is also aware that less than two months after President Kennedy's death FBI agents confronted me with their suspicion that I had "acted as an unregistered agent for a foreign power," inferring that I was a spy for one of the Cuban intelligence services (several years later the CIA, through one of its "former" case officers, accused me of having been a Soviet spy; still later, one FBI agent suggested that I had worked for the Chinese).

The registered letter that was dispatched at my instance to FBI Director J. Edgar Hoover in September 1963 (not necessarily on the 13th) revealed sufficient details to warrant an immediate investigation (if not the arrest) of Lee Harvey Oswald and two Cuban refugees. I certainly "assumed" that some "action" would be taken by the FBI.

I was not the least bit "frantic" about anything in September 1963. I did not set foot inside the Republic of Cuba during that month. To my knowledge I have never talked to any "Castro aides." The main distinction between some American intelligence officers that I knew and hired killers were the procedures utilized in murdering their victims and/or the methods used to disassociate themselves and the U. S. government from their crimes.

I had no fear of being implicated "in the planned assassination" at the time of my arrest or prior thereto.

The two letters that I mailed to James L. Rankin, General Counsel to the Warren Commission, were not sent through "private channels." They were sent through proper jail authority.

I have never claimed that I "squirreled away a snapshot of (myself) with Lee Harvey Oswald taken in Jackson Square in New Orleans in 1963." I have never stated that I am "willing to surface and tell (any) story to Congress" or to anybody. And I did not reveal any details about Mr. Oswald to Professor Popkin that are "new" or unknown to the FBI.

Richard C. Nagell

Richard C. Nagell

Bank robber, 'Manchurian Candidate' linked to JFK assassination probe

ED. NOTE: Recent exposure of what many consider to be improper CIA activity, both at home and abroad, has reawakened interest in decade-old challenges to official versions of the assassinations of John Kennedy, Robert Kennedy and Martin Luther King. As new facts also begin to emerge, Congress faces growing pressure to reinvestigate the JFK assassination.

What follows are the strange stories, disclosed here for the first time, of two figures — Richard Case Nagell and Luis Angel Castillo — long of interest to assassination researchers.

WILLIAM W. TURNER

SAN DIEGO, (PNS) — On Sept. 20, 1963, a rangy man with a vertical scar on his forehead strode into the State National Bank in El Paso, Tex., and requested $100 in travelers' checks. Before the teller could comply, he whipped out a pistol and fired two shots into the ceiling. Then he waited to be arrested.

Police quickly realized that the suspect, Richard Case Nagell, 32, was no ordinary bank robber. Papers he carried showed that he was a decorated hero of the Korean War who had gone on to a career in Army Intelligence before being discharged with the rank of captain in 1959.

Why had he pulled the non-robbery?

Last week Dr. Richard H. Popkin, a philosophy professor at Washington University in St. Louis, stepped off a plane in the nation's capital lugging a briefcase containing documents illuminating the strange case of the man who shot a bank. Also crammed into the briefcase was a thick sheaf of papers relating to a bizarre "Manchurian Candidate" episode in the Philippines in 1967.

Both the El Paso and Manila incidents, Popkin said in an interview before leaving for Washington, were linked to the Dallas assassination of John F. Kennedy on Nov. 22, 1963. They would "crack the case wide open," he predicted.

The slight, bearded academician was stopping in Washington to present his discoveries to Attorney General Edward Levi and the Senate Select Committee on Intelligence Activities before going on to a conference of learned philosophers.

The Second Oswald

Popkin is no stranger to the JFK investigation. In 1966 he published *The Second Oswald*, which chronicled several instances of someone impersonating the man later accused of slaying the president. At the time the book gained scant attention, but recently it was disclosed that as early as June 3, 1960, FBI Director J. Edgar Hoover himself wrote an interdepartmental memorandum citing evidence of an Oswald imposter. The FBI knew Oswald at that time as a defector to Russia, and, some conspiracy theorists believe, as a possible CIA agent.

Popkin said he had been in touch with Richard Nagell, now living near San Diego, and had learned about Nagell's friendship with Lee Harvey Oswald. Nagell has fascinated assassination researchers ever since an FBI report filed with the Warren Commission quoted him as saying he had met with Oswald in Mexico City and Texas. But the former intelligence officer had been inaccessible. He remained in prison for the El Paso caper until his conviction was reversed for insufficient evidence in 1967, after which he dropped from sight.

Nagell's Version

Nevertheless, researchers were able to glean some picture of Nagell's significance from his defense pleadings and cryptic letters from prison.

In August 1963 Nagell, working as a CIA agent, learned of a domestic plot to assassinate the president, involving Oswald and anti-Castro Cubans. He informed his CIA superior but feared nothing would be done because he lacked details. On Sept. 13 he dispatched a letter warning J. Edgar Hoover of the plot but again assumed no action would be taken.

As Nagell understood it, Kennedy was to be shot in

(please turn to page 33)

ASSASS-INATION

(continued from page 4)

Washington about Sept. 26 (as it turned out, JFK left Sept. 25 for a whirlwind tour of the West). Frantic, Nagell flew to Havana on Sept. 19 to see if Castro aides could shed light on the assassination plot, but the only advice they could offer was to execute Oswald in the hope that would stop the plan.

But Nagell left Cuba deciding that he "was an intelligence agent, not a killer." Flying to El Paso via Mexico City, he walked into the bank the next day for "the sole purpose of having myself arrested and detained by federal authorities" — apparently fearing that his association with Oswald would implicate himself in the planned assassination.

Nagell was in the El Paso jail when Kennedy was shot in Dallas two months later. He sent an offer to testify before the Warren Commission through "private channels" but received no reply.

Dedicated Leftist

In his recent discussions with Popkin, Nagell has revealed new details about Oswald. He first met Oswald, he said, in the late fifties at the U.S. naval base at Atsugi, Japan, where Oswald was a Marine Corps radar specialist. They became friends but didn't encounter one another again until August 1963 when Nagell learned of the plot against Kennedy.

Disputing claims that Oswald had ties with the CIA, Nagell believes that Oswald was a dedicated leftist who was duped by anti-Castro exiles involved in the conspiracy. Posing as Castro G-2 intelligence agents, the exiles wheedled Oswald into becoming a "fall guy" by playing on his Castro sympathies, painting Kennedy as anti-Castro and promising that he would be spirited to Havana after the assassination.

Nagell told Popkin he met with Oswald both in Mexico City and New Orleans, hotbeds of the anti-Castro movement. "Nagell claims he has squirreled away a snapshot of himself with Lee Harvey Oswald taken in Jackson Square in New Orleans in 1963," Popkin asserted. "In the picture are two other men, both anti-Castro Cubans, who were pretending to Oswald that they worked [redacted] Castro's G-2."

If this photograph does exist [redacted] it would lend credibility [redacted] Nagell's account. And Nagell is willing to surface and tell his story to Congress, Popkin says, provided protective conditions are met.

"Manchurian Candidate"

Popkin is also convinced that the Manila "Manchurian Candidate" case was connected to the JFK assassination. On March 2, 1967, a man named Luis Angel Castillo was detained by the Philippine National Bureau of Investigation after he had contacted left-wing Huk guerrillas. Questioned under truth serum and hypnosis, Castillo blurted out a tale of having been taken to a building in Dallas, Tex., the day Kennedy was shot, handed a rifle assembled from components hidden in a bowling bag and instructed to fire at a man in an open car sitting next to a lady. The signal to fire would be given by mirror flashes.

The story caused a brief sensation at the time. The Manila *Times* bannered: " 'JFK Plotter' in Manila!" Wire service dispatches to the United States said Castillo was a "Cuban-trained Communist agent" who hadn't shot because he heard that a man named Joe "had already shot the man in the open car." The story was so implausible that it quickly died.

Not long ago the hypnotist who conducted the interrogation of Castillo for the Philippine authorities arrived in this country under the name Vincente R. Sanchez. When Popkin took a look at his reports, his eyes popped.

The reports termed Castillo a "zombie" — a hypnoprogrammed robot.

Double-Agent Network

Sanchez extracted Castillo's rambling story over a period of weeks. Castillo, then 28, was inducted around 1960 into a "Special Operations Group" which afforded him paramilitary training. In 1961 he participated in the Bay of Pigs invasion, as a pilot for the CIA. Thereafter he infiltrated a double-agent network, posing as a Communist in Venezuela and liquidating a Communist agent in Mexico.

In talking about the JFK assassination, Castillo — despite some disjointed phrases — was nevertheless able to describe in some detail the room from which he was to shoot and how his control agent muttered, "They got him already. Let's get out of here." After the rifle was disassembled and stuffed in the bowling bag, he was hustled into the car which had brought him to the building. It stopped twice within blocks to pick up other men.

In 1967, according to Sanchez, Castillo was programmed to assassinate Philippine President Ferdinand Marcos after openly associating with the leftist Huks — which would implicate them in the assassination. Popkin points out that this is a similar ploy to the one Nagell attributed to the anti-Castro Cubans' use of Oswald.

Until recently the Castillo episode might have seemed a logcial impossibility. But the release of the Rockefeller Report, with its revelations about secret CIA projects to induce behavior modification in unsuspecting subjects, make the possibility of a "Manchurian Candidate" more than mere fantasy. (In the Robert Kennedy assassination, Dr. Bernard Diamond, who examined Sirhan Sirhan for the defense, testified that he believed Sirhan was hypnotized at the time of the shooting.)

Although the current whereabouts of Castillo is unknown, the Sanchez reports contain the names of six persons who supposedly ran his network, including the "control officer" and a woman who hypnotized him. Popkin's own investigations have shown that these people do exist.

Through Popkin their stories have now been passed on to the Attorney General and the Church Committee.

William Turner's latest book, The Cuba Project, *the story of the CIA's secret war against Castro, will be published this fall by Houghton Mifflin.* □

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

AUG 14 1975

TELETYPE

Asst. Dir.:
Admin.
Comp. Syst.
Ext. Affairs
Files & Com.
Gen. Inv.
Ident.
Inspection
Intell.
Laboratory
Plan. & Eval.
Spec. Inv.
Training
Legal Coun.
Telephone Rm.
Director Sec'y

NR007 DL PLAIN

720 PM NITEL AUGUST 14, 1975 ELC

TO DIRECTOR, FBI (62-109060)

HOUSTON

FROM DALLAS (89-43)

ASSASSINATION OF PRESIDENT JOHN FITZGERALD KENNEDY, NOVEMBER 22, 1963, DALLAS, TEXAS.

RE BUREAU TELETYPE TO DALLAS AND HOUSTON AUGUST 13, 1975, AND DALLAS TELCALL TO HOUSTON AUGUST 14, 1975.

DALLAS FILE 163-328, BUFILE 163-36660 CONTAINS RESULTS OF RECORD CHECKS RE [redacted] ALSO IS SUSPECT IN BUFILE 92-14242, DENVER 91-5008, DALLAS 91-6251. DALLAS INDICES NEGATIVE RE EBB ROSE. DALLAS FILE 92-1658, HOUSTON 92-1409, REFLECTS [redacted], HOUSTON, TEXAS, IS SUBJECT OF AR INVESTIGATION IN HOUSTON. REPORT OF SA MANNING C. CLEMENTS, DATED DECEMBER 19, 1963, PAGE 215, DALLAS 44-1639, BUFILE 44-24016 CONTAINS INTERVIEW OF ONE JAMES MICHAEL HOLLAND WHO COULD BE IDENTICAL TO JAMES HOLLAND MENTIONED ON PAGE TWO OF RETEL. AT TIME OF INTERVIEW, HOLLAND WAS NEXT DOOR NEIGHBOR OF EVA GRANT, SISTER OF JACK RUBY. DALLAS INDICES NEGATIVE RE LINDA BRITTAIN AND WEBBY. NO IDENTIFIABLE RECORD LOCATED RE ROY HILLIARD.

REC-43 62-109060-7233

AUG 25 1975

8/22/75
+ ltr, [redacted] HIT
+ LHM of 8/15/75 and
62 RIs & DL, HO, LA
with note for HO &
[illegible] 1 Encl 1975 [illegible] in the
T.T. lm

6-lm

RE DALLAS TELCALL[redacted] HOUSTON DETERMINED HOUS[redacted] INDICES NEGATIVE RE EBB ROSE.

DALLAS RECOMMENDS HOUSTON CONTACT [redacted] AND ATTEMPT TO IDENTIFY EBB ROSE AND THEREAFTER INTERVIEW ROSE TO ASCERTAIN ANY CONTACT HE MAY HAVE HAD WITH ALTON WAYNE MOORE IN HOUSTON OR ELSEWHERE CONCERNING THIS MATTER. IT WOULD APPEAR FURTHER INTERVIEWS SHOULD BE HELD IN ABEYANCE UNTIL RESULTS OF ROSE INTERVIEWS ARE THOROUGHLY REVIEWED.

BUREAU IS REQUESTED TO ADVISE DALLAS AND HOUSTON IF BUREAU CONCURS WITH ABOVE RECOMMENDATION. DALLAS AND HOUSTON WILL THEREAFTER CONDUCT AND SUBMIT RESULTS OF PERTINENT RECORD CHECKS.

END

HOLD PLS

FBI

Date: 8/18/75

Transmit the following in _____ (Type in plaintext or code)

Via AIRTEL AIRMAIL (Priority)

TO : DIRECTOR, FBI

FROM : SAC, SEATTLE (89-47) (RUC)

SUBJECT: ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY
NOVEMBER 22, 1963
ASSAULTING OR KILLING
A FEDERAL OFFICER

Re Bureau airtel to Seattle, 8/14/75.

Enclosed for the Bureau is a letter dated August 15, 1975, by NORMAN A. MATZKE.

On 7/18/75, JAMES W. GALLAHER appeared at the Seattle FBI Office. GALLAHER furnished SA [redacted] with a xerox copy of a letter which he stated was furnished him by Seattle Police Department Polygraphist NORMAN A. MATZKE. GALLAHER stated he paid $100 for the test, inasmuch as he wanted to resolve this matter. GALLAHER stated he feels the polygraph test has enabled him to clear his mind of the matter and that he will not report this to any agency in the future.

ENCLOSURE

(2) - Bureau (Encl - 1)
1 - Seattle
JKC/tcs
(3)

REC 22 62-109060-7234
EX-105

22 AUG 21 1975

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

U.S. Government Printing Office: 1972 — 455-874

August 15, 1975

To Whom it might Concern:

On August 14, 1975, Mr. James W. Gallaher voluntarily submitted to a polygraph examination.

The main issues under consideration was whether or not Mr. Gallaher overheard a conversation between Oswald and Shaw while in the lobby of the Capital House Hotel, Baton Rouge, La. Also, whether or not Mr. Gallaher reported this conversation to numerous federal investigative agencies.

Examination of the polygraph charts produced during this test failed to disclose physiological emotional responses which would be indicative of deception when he answered the following relevant questions:

"During 1963, while in Baton Rouge, La., did you overhear a conversation between Oswald and Shaw? Ans: Yes.

"Over the past 12 years, have you reported to several Federal Investigative Agencies the conversation you overheard in Baton Rouge?" Ans: Yes.

"As a result of those reports you have made, do you fear for the safety of yourself and family?" Ans: Yes.

"As a result of those reports you made to the Federal Agencies, do you feel that your character and reputation has been damaged?" Ans: Yes.

It is hoped that this examination has proved informative to you.

Respectfully submitted,

Norman A. Matzke

NORMAN A. MATZKE
Polygraphist

ENCLOSURE 62-109060-7234

August 18, 1975

MR. CALLAHAN:

At 1:35 p.m., 8/18/75, I returned a telephone call, at his request, to Mr. Dave Muchow, Obstruction and Perjury Desk, Criminal Division of the Department. Muchow is the individual who was present in the office of Carl Belcher on the late afternoon of 8/15/75 when Belcher called me concerning our letter to the Attorney General dated 7/29/75 concerning the Dallas affair.

Muchow advised that he understood from Deputy Attorney General Kinney that the FBI had received authorization to administer oaths in our inquiry and was wondering as to whether this was some sort of special authorization given by the Department in this regard. I informed Muchow that we had received no special authorization and in fact by statute, which citation I could not recall, the FBI is empowered to place people under oath in conducting our investigations and the authorization was applicable to any individual and not restricted to just Government employees. He also mentioned that in the Mitchell case Judge Sirica had dismissed a charge against Haldeman of furnishing false information to Bureau Agents and wondered if in that instance Haldeman had been placed under oath. I informed him I had no knowlege of this but I would check it out and let him know. (Mr. Mintz advises that in the Haldeman matter the Agents had not placed Haldeman under oath and Judge Sirica would not proceed because the oath was not given.) I informed Muchow I would call back and furnish him the specific citation for our authorization in this regard.

Muchow stated he understood that there was a question as to the source being available either today or tomorrow in Washington, D. C., and if so would the Department be able to see the source and question him. I advised Muchow that the source, to my knowledge, was not in Washington, D. C., and I had no knowledge that he planned to be in Washington, D. C. He then asked whether or not it would be possible for the Department to submit some questions to the source through the Bureau. I advised him

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that I could not give him an answer in this regard but reiterated what I had told Mr. Belcher on 8/15/75 that to my knowledge the source had given every bit of information he had concerning this matter to Bureau officials early in July, 1975. He then asked if an FD-302 had been prepared concerning the interview of the source and I informed him that an FD-302 had not been prepared but if he he would desire this interview could be reduced to an FD-302. I again pointed out to Muchow there was no question but that the source had given every bit of information at his disposal which had been included in our letter to the Attorney General.

Muchow stated that he and others in the Criminal Division had been reviewing this matter over the weekend, including review of Warren Commission hearings and observed that in reviewing the Warren Commission report, Marina Oswald did not testify concerning whether she knew of Oswald's visit to the Dallas Office and of a note he may have left there. Muchow thought Marina Oswald would be a logical person to be interviewed and wondered if I knew of any reason why she should not be interviewed to which I replied in the negative. I told him it was my understanding that she is still in the Dallas area. In this regard Muchow also thought the police officer who reported a conversation with SA Hosty would be a logical person to interview and this refers to a conversation Lieutenant Revill, Dallas Police Department, claims SA Hosty had with him on an elevator wherein he claims Hosty made reference to Oswald being violent.

Muchow stated at this time it appears that the following options are available and named them as follows:

1. Refer the matter back to the FBI for further interviews.

2. Have the FBI conduct further investigation with the Department outlining specific questions that should be asked.

3. Ask that the FBI allow someone from the Department to sit in on subsequent interviews.

4. Someone from the Department to conduct interviews, taking depositions in question and answer form.

5. Refer the matter to a Grand Jury.

6. Utilization of polygraph. Concerning the polygraph, Muchow asked what the Bureau's position would be on this and he was informed that there have been instances in the past when employees have been requested to take a polygraph.

After citing the above options, Muchow asked what my thoughts were as to the various options and I told him that I was not in a position to speak for the Bureau and he requested that these options be furnished to Mr. Callahan and he was assured they would be. He did make reference to the fact that it would appear that in conducting further inquiry the FBI would be investigating itself and I informed him that this is nothing new, we have highly skilled personnel who in the past have conducted inquiry involving our personnel, that we let the chips fall where they may, and this matter would be handled in the same fashion.

In conclusion, Muchow pointed out that from a review of the information we have furnished the Department to date it is felt that there are a number of "one on one" situations and further pointed out that it seems the higher up one seems in the echelon the more general was the response of the person being interviewed. He stated he and several others in his office are continuing to review this material and he did not anticipate reaching any conclusion for several days.

I asked him if he had received any inquiry from the Deputy Attorney General's office today and he replied in the negative.

J. A. Conley

August 27, 1975

Mr. Callahan:

You called this morning to advise that hopefully we will be receiving a response from the Department in the very near future concerning the Dallas situation. You mentioned that apparently the "hang-up" in the Department was the fact that on three of the interviews the individual being interviewed was not given a waiver of rights and on all of the other interviews such a waiver was obtained. The following is in response to your question in regard to the foregoing situation:

Initially I suppose it can be honestly stated that the obtaining of a waiver of rights was not considered germane to the inquiry. I say that because there was some doubt certainly as to the accuracy of the allegation and secondly it was necessary to obtain what information we could before we even knew what we had. Mrs. Fenner, the first person interviewed, was not given a waiver of rights. Frankly, I was surprised by the information she furnished and such a waiver never even occurred to me. I must also admit that the information she furnished was suspect in my mind. Anyone interviewing Mrs. Fenner, I feel, would have had the same feeling.

The second person interviewed was Howe in San Diego. As you will note from the background information, nothing to support Mrs. Fenner's allegations was obtained from Howe upon submission of his first affidavit other than the fact that he had heard Mrs. Fenner say something to the effect that Oswald had visited the Dallas Office prior to the assassination. Following submission of his first affidavit, however, Howe became more candid and for the first time some credence to Mrs. Fenner's statement was established.

Hosty is the third person interviewed and as in the first two instances no waiver was given to Hosty. It was following the interview of him that we had what I would say definitely established that Oswald did indeed visit the Dallas Office prior to the assassination and did indeed leave a note.

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Hosty was interviewed on a Thursday and on that evening Mr. Kelley was advised personally in Kansas City by me of the results of these three interviews. On the following morning, Friday, I again discussed the matter with Mr. Kelley and it was at this point that he felt a determination should be made from John Mintz as to the need for obtaining a waiver of rights from anyone else interviewed in connection with the matter. Mr. Kelley called Mr. Mintz and we both talked to him. During this discussion John was of the opinion that should any prosecution arise as a result of this inquiry our failure to give the waiver of rights to the above three people would not be "fatal." However, he did feel that in handling any subsequent interviews in regard to the matter the individual interviewed should be furnished a waiver of rights for his or her consideration. Mr. Kelley at this time recognized the fact that we could be asked why the first three individuals interviewed were not so furnished a waiver. He took the position that these constitute our initial inquiries, that they were probing in an effort to obtain the facts and once establishing that there was credence to the initial allegations we would proceed with the waiver of rights.

This was done and all of the six subsequent interviewees furnished a waiver of rights.

H. N. Bassett



OVER

ADDENDUM BY LEGAL COUNSEL, 8/27/75, JH:mfd

The Miranda warning (warning of constitutional rights) is really only required by law in a custodial situation. The FBI, prior to the Miranda case and subsequent to that decision, has given a statement of constitutional rights in situations not actually required by law. Our policy is to go beyond the legal requirements to insure this constitutional safe-guard.

The FBI Handbook, Part II, Page 12, indicates "at the beginning of an interview with any known subject of a Bureau case, or any person under arrest or for whom arrest is contemplated on completion of the interview or later, or any other person so strongly suspect that he is now to be interviewed for a confession or admission of his own guilt in the case rather than merely as a possible source of information, such person must be advised of the names and official identities of the interviewing Agents, the nature of the inquiry and must be warned of his rights . . . ."

This basic rule applies to employees as well as non-employees and there appears to be no justifiable basis for adopting any new policy which would pertain to Bureau employees as opposed to the general interviews we conduct. Essentially, our rule is that an individual is given the Miranda warning when he is the focus of a potential criminal investigation and when his comments may constitute a confession or admission of guilt.

With regard to this specific matter, the early interviews were designed to determine whether there was any validity to the basic allegation. It was not until after these interviews were conducted that it was realized that the allegation may have had some substance and that there were potential criminal ramifications as opposed to a mere disciplinary matter.

Since none of the persons interviewed were in a custodial situation, there was no legal requirement to give them the Miranda warning and the failure to do so should not be fatal to any potential prosecution. We began giving the warnings when in the judgment of Bureau officials there were potential criminal ramifications which is in accord with our general policy and which exceeds legal requirements.

CONTINUED - OVER

ADDENDUM (CONT'D)

This same situation arises in numerous cases we handle where individuals are interviewed at a preliminary stage without a warning, but who are later given a warning in a subsequent interview because the investigation has focused on them as suspects or because our investigation has shown they lied during the initial interview. Certainly, there is an area of judgment and discretion within our regulation. From the facts outlined we consider the judgment in this matter to be well within the scope of our regulation and certainly within the requirements of the law.

Date 8/13/75

Transmit in [X] Plaintext [ ] Code Via Teletype the Attached [ ] Immediate [ ] Urgent [X] Nitel Message

From: Director, FBI

To: SACs: DALLAS, HOUSTON

To: Legats:

To: RUEADWW/ [ ] The President [ ] The Vice President [ ] White House Situation Room
[ ] Attn: [ ] Attn:

RUFTAAA/ [ ] Attorney General [ ] Deputy Attorney General
[ ] Attn: Analysis and Evaluation Unit

RUEBAAA/ [ ] Assistant Attorney General, Civil Rights Division

RUEHAAA/ [ ] Assistant Attorney General, Criminal Division
[ ] Attn: Internal Security Section [ ] Attn: General Crimes Section

RUEADNO/ [ ] Drug Enforcement Administration

RUEBIJA/ [ ] Immigration and Naturalization Service

RUEHMSH/ [ ] U. S. Marshal's Service

RUEBDIA/ [ ] Department of the Air Force (AFOSI)

RUEHCSI/ [ ] Department of the Army

RUEAIIA/ [ ] Director, CIA

RUEDACA/ [ ] Commandant, U. S. Coast Guard

RUEWDIS/ [ ] Director, Defense Intelligence Agency

RHEGGCN/ [ ] Energy Research and Development Administration

RUEGGBA/ [ ] Federal Aviation Administration

RUEANAT/ [ ] National Aeronautics & Space Adm.

RUEOIAA/ [ ] National Security Agency
(DIRNSA NSOC (Attn: SOO))

RUEOLKN/ [ ] Naval Investigative Service

RUEAUSA/ [ ] U. S. Postal Service (If Classified)
(Use RUEVDFS if Unclassified)

RUEHSE/ [ ] U. S. Secret Service (PID)

RUEHCC/ [ ] Secretary of State

RUEBJGA/ [ ] Department of Transportation
Attn: Director of Security

[ ]

[ ]

REC 22 62-109060-7235

EX 104

22 AUG 15 1975

Classified by: [ ] Top Secret [ ] Secret [ ] Confidential [X] Unclassified

ASSASSINATION OF PRESIDENT JOHN FITZGERALD-KENNEDY
NOVEMBER 22, 1963, DALLAS, TEXAS

70 SEP 9 1975

COMMUNICATIONS SECTION

AUG 12 1975

3:52 PM URGENT 8/11/75 MJD

TO DIRECTOR, FBI NR 502-11

FROM LEGAT MEXICO CITY (89-S) 4P

TELETYPE

INFORMATION RE ASSASSINATION OF PRESIDENT JOHN F. KENNEDY.

FOLLOWING RECEIVED FROM LEGAT, [redacted] ON AUGUST 7, 1975, U. S. VICE CONSUL [redacted], ADVISED THAT [redacted], A U. S. CITIZEN CONDEMNED TO DEATH FOR MURDER IN [redacted] ON JULY 18 LAST VERBALLY RELATED TO [redacted] THAT HE HAD DELIVERED MONEY TO LEE HARVEY OSWALD A FEW DAYS BEFORE THE ASSASSINATION OF PRESIDENT JOHN KENNEDY AND HAD ALSO DELIVERED MONEY TO SIRHAN SIRHAN JUST PRIOR TO ASSASSINATION OF SENATOR ROBERT KENNEDY. [redacted] RETRACTED THE STORY ABOUT SIRHAN BUT INSISTED THE OSWALD CONTACT WAS TRUE.

[redacted] WAS SCHEDULED FOR EXECUTION IN [redacted] ON JULY 22 BUT RECEIVED REPRIEVE ON NIGHT OF JULY 18. HIS FATE IS NOW ON APPEAL TO QUEEN OF ENGLAND BUT EVEN IF EXECUTION IS COMMUTED HE FACES LONG IMPRISONMENT.

VICE CONSUL [redacted] TOLD [redacted] TO WRITE STATEMENT DETAILING CIRCUMSTANCES OF OSWALD CONTACT. [redacted] DELIVERED SUCH STATEMENT TO [redacted] ABOUT AUGUST 1. THIS STATEMENT OBTAINED BY LEGAT REPRESENTATIVES CLAIMS FOLLOWING:

~~HER 2-6 PAGE TWO~~

[redacted] IN NOVEMBER, 1963, WAS EMPLOYED BY C & H TRANSPORTATION COMPANY AT DALLAS, TEXAS. HE RECEIVED CALL FROM HIS FORMER EMPLOYER EBB ROSE, SON OF [redacted] TO PROCEED TO [redacted] TRUCKING OFFICE IN HOUSTON. THERE ON A FRIDAY NIGHT HE CONFERRED WITH EBB ROSE, ATTORNEY (FNU) SCOTT FROM FORT WORTH, AND PERSON KNOWN AS WEBBY. ROSE AND SCOTT TOLD [redacted] HE WAS TO DELIVER MONEY FOR A QUOTE HIT UNQUOTE AND THAT ONE JAMES HOLLAND OR LEE OSWALD WOULD CALL HIM AT WORK IN DALLAS TO ARRANGE FOR DELIVERY OF MONEY. ROSE GAVE [redacted] AN ATTACHE CASE WITH MONEY AND $3,000 IN LOOSE 100 BILLS AS MOORE'S PAY. THE FOLLOWING WEEK OSWALD CALLED [redacted] TO MEET AT A LIQUOR STORE, POSSIBLY CENTENNIAL LIQUOR STORE, ON HIGHWAY 183, DALLAS. [redacted] GAVE OSWALD HIS LICENSE NUMBER AND HOLLAND AND OSWALD AFTER LOCATING [redacted] HAD HIM FOLLOW THEM IN THEIR 1961 WHITE CHEVROLET, RED INTERIOR, TO A MOTEL ON THE HARRY HINES BOULEVARD TRAFFIC CIRCLE.

THE MOTEL IS LOCATED ACROSS FROM A RESTAURANT BUILT LIKE A SHIP. IN THE MOTEL [redacted] DUMPED THE MONEY FROM THE

ATTACHE CASE ONTO A BED.

OSWALD COUNTED THE MONEY WHICH AMOUNTED TO 100,000 DOLLARS IN FIFTIES AND HUNDREDS IN BANK WRAPPERS. HOLLAND REMARKED QUOTE THIS WAS THE DOWN PAYMENT LEE BABY UNQUOTE. A FEW DAYS LATER [redacted] SAW OSWALD ON TV COVERAGE.

INTERVIEW BY LEGAT REPRESENTATIVES ON AUGUST 8 LAST, [redacted] SAID HE WAS QUOTE SCRAMBLING ENQUOTE WHEN HE TOLD OF SHIRHAN CONTACT BUT OSWALD STORY IS TRUE. HE NEVER MENTIONED IT UNTIL HE TOLD VICE CONSUL [redacted] AS HE WAS SET TO DIE ON JULY 22 AND WANTED TO CLEAR HIS CONSCIENCE. HE SAID WEBBY IS 55 TO 60 YEARS OLD NOW, BIG BUILD. HE KEPT ATTACHE CASE RECEIVED FROM ROSE UNTIL 1972 WHEN LEFT IT AT PASADENA, TEXAS, RESIDENCE OF ELDERLY WOMAN WHO BABYSAT FOR CHILDERN OF [redacted] GIRLFRIEND [redacted]

[redacted] CLAIMED ROY HILLIARD, FORMER TEXAS HIGHWAY PATROLMAN EMPLOYED BY [redacted], WHO KNEW MOORE IN SPUR, TEXAS, HAD INFORMED EBB ROSE OF [redacted] CRIMINAL BACKGROUND, THUS, PRESUMABLY, RESULTING IN SELECTION OF

~~MEX 89-6 PAGE FOUR~~

[redacted] FOR DELIVERY OF MONEY.

[redacted] HAS FBI NUMBER [redacted], BORN DECEMBER 4, 1932, IN PARIS, TEXAS, ARRESTED IN [redacted] FOR MURDER ON OCTOBER 24, 1973. HE IS SUBJECT OF BUFILE [redacted], DALLAS FILE [redacted] HOUSTON ~~REFER TO~~ ^FILE [redacted]

~~SUBMITTED FOR BUREAU'S INFORMATION. SUGGEST ABOVE BE FURNISHED TO~~ DALLAS ~~TO~~ ^AND HOUSTON MAKE APPROPRIATE RECORD CHECKS ON INDIVIDUALS MENTIONED. ~~AND CONSIDER INTERVIEWING EBB ROSE. LHM TO FOLLOW BY AIRTEL.~~

~~END~~ DALLAS SUBMIT RECOMMENDATIONS RE INTERVIEWS AND OTHER INVESTIGATION TO BE CONDUCTED TO RESOLVE.

FD-36 (Rev. 5-22-64)

FBI

Date: 8/15/75

Transmit the following in _____ (Type in plaintext or code)

Via AIRTEL (Priority)

TO: DIRECTOR, FBI

FROM: LEGAT, MEXICO CITY (89-6) (P)

SUBJECT: ASSASSINATION OF PRESIDENT
JOHN F. KENNEDY
INFORMATION CONCERNING

Enclosed are 11 copies of an LHM dated and captioned as above.

Re Mexico City teletype dated 8/11/75.

Prior information concerning [redacted] is contained in Bufile [redacted], Dallas [redacted] and Houston [redacted]

The possibility exists that [redacted] may be executed in Belize in the near future.

The contact of [redacted] at the penitentiary in [redacted] on 8/8/75 was conducted by Vice Consul [redacted] and Assistant Legal Attaches [redacted] and [redacted]

As noted in retel, leads were left to the discretion of the Dallas Division to conduct appropriate checks concerning the story furnished by [redacted]

ST 109

REC-47 62-109060-7236

ENCLOSURE

(9) - Bureau (Enc. 11)
(1 - Foreign Liaison Unit)
(2 - Dallas
(2 - Houston)
(2 - Los Angeles)
1 - Mexico City
JJO/jeb
(10)

12 AUG 21 1975

Approved: _____ Sent _____ M Per _____

Special Agent in Charge

U.S. GOVERNMENT PRINTING OFFICE: 1971—413—166

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

August 15, 1975 WASHINGTON 25, D. C.

In Reply, Please Refer to File No.

INFORMATION REGARDING ASSASSINATION OF PRESIDENT JOHN F. KENNEDY

On August 7, 1975, Vice Consul [redacted], U. S. Consulate, [redacted] advised that on July 18, 1975, [redacted], who is a prisoner in the penitentiary in [redacted] related that he had made a payment of $100,000 to Lee Harvey Oswald in Dallas, Texas, a few days prior to the assassination of President John F. Kennedy.

Mr. [redacted] pointed out that he has been in frequent contact with Moore who has been sentenced to death by the [redacted] Court following conviction of murder. [redacted] was scheduled to be executed on July 22, 1975, but received a reprieve on the night of July 18, 1975, pending his final appeal which now rests in the hands of the Queen of England.

Mr. [redacted] advised that on July 18, 1975, [redacted] stated he had received $100,000 from Ebb Rose, son of the owner of the [redacted] Trucking Company at Houston, Texas, and followed instructions from Rose and associates to take the money to Dallas, Texas, where he would be contacted by Lee Harvey Oswald and one James Holland. [redacted] stated that he was only informed at the time that the money was in payment for a "hit." [redacted] claimed he was thereafter contacted in Dallas and delivered the money to Oswald and Holland and, within a few days, the assassination of President Kennedy occurred and Oswald was held by police authorities.

Mr. [redacted] stated that in addition [redacted] claimed that while he was employed by the [redacted] Trucking Company in Montebello, California, in 1968, he received another proposition from Ebb Rose and associates to make a payoff to Sirjan Sirjan, the eventually convicted assassin of Senator Robert F. Kennedy. He said that through some prior arrangement Sirjan Sirjan contacted him at the [redacted] Trucking Company terminal in Montebello and they met at a restaurant at the corner of

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

62-109060-7236

ENCLOSURE

Washington Boulevard and Santa Ana Freeway, and [redacted] gave Sirjan and another unidentified man a large amount of money which he had received from Ebb Rose.

Upon questioning concerning the veracity of these statements, [redacted] on July 18, 1975, admitted that he fabricated the Sirjan story, but steadfastly maintained the contact with Oswald was true. Mr. [redacted] requested [redacted] to prepare a written statement setting forth the details of his contact with Oswald. Mr. [redacted] stated that while the story of [redacted] appeared to be the last minute effort of a man condemned to hang within a few days to obtain a delay in his execution, he was concerned that there was some possibility that [redacted] story might be true. He stated that on the night of July 18, 1975, [redacted] received a Stay of Execution pending an appeal which would be decided upon by the Queen of England since [redacted] is under the jurisdiction of British judicial authority. Mr. [redacted] stated that in view of [redacted] reprieve, some period of time elapsed before he received from [redacted], on August 1, 1975, the following handwritten statement; the last paragraph, however, was added upon contact of [redacted] on August 8, 1975:

"I first met Ebb Rose in 1961 or 62 when I went to work for [redacted] Truck Line in Houston, Tex. At that time there was a former Texas highway patrolman by the name of Roy Hilliard working for them as the safety officer whom I had known before in Spur, Texas. He told Ebb Rose all about my background and trouble I had been in. Rose talked to me about it and then sent me to Los Angeles, Calif. as Asst terminal mgr. L. A. was then a trouble spot for the Co. The union was trying to organize them. At a time a little later I met with a lawyer by the name of Scott from Ft. Worth, Texas who told me to use any means necessary to get rid of the people who were trying to organize them including violence. During the time I was in Los Angeles, Rose was there several times and on two occasions he took me to Mexico with him to party. In 1963 he and I were talking and I decided to move back to Texas. He told me to go to C & H Transportation Co. in Dallas and there would be a good job there for me which I did. He paid for my move back to Texas. On two occasions he called me at work and we went out on parties. One afternoon when I

left work Rose was waiting for me. He asked if I was ready to make a little money. I told him yes. He said he had something he wanted me to deliver in Dallas. I asked him what. He told me to meet him at his office in Houston between 8 and 9 o'clock Friday night and he would explain everything. On Friday I left work early with the excuse that I had to go to the Dentist and drove to Houston. When I arrived at his office I met Ebb Rose, the lawyer Scott and another man I did not know. I heard him called Webby or something like that. I had never seen him before or seen him since. Rose and Scott explained that the money I was to deliver was for a hit. I did not know who the hit was. The lawyer Scott told me I would be an accessory before the fact. I was told that a James Holland or Lee Oswald would call me at the office where I worked and make arrangements for the delivery. The next week, I don't remember which day, Oswald called me and I was to meet him at a liquor store on Hwy 183. I believe it was a Centennial Liquor Store. I was to meet him at 6:00 PM.. I gave him the licence number of my car and told him he would have to bring something to carry the money in as I did not want anyone to have the case which could have my fingerprints on it. I met them at the liquor store. The one named Holland came over to my car and told me to follow them. They were in a white late model Chevrolet. I followed them to the circle on Harry Hines Blvd. and we parked the cars at a restaurant that was built like a ship and walked across the street to a motel. Inside the motel room I opened the case and dumped the money on the bed. I did not know how much there was supposed to be. Holland wanted to count the money before I left. Oswald did the counting. The smallest bills I saw were fifty's. They were in packs like you get at the bank. There was $100,000.00. Holland made the remark that this was the down payment Lee baby. He also made the remark that this was a hell of a price for a grease job. I don't know how long I was there, maybe 45 minutes or so. I was paid $3,000.00 for the delivery. Shortly after this I left C & H and went into the trucking business in Nederland, Texas. Through the influence of Rose I was able to get the trucks I needed from

White Mtr. Co. and the trailers from Trailmobile. The business was called Malco Transportation Co., Inc. I sold out of the trucking bussiness in 1965. In 1968-9 I again went to work for Rose and was again sent to Los Angeles as Asst. Terminal Manager.

"I, [redacted], wrote this statement of this and four other handwritten pages, about August 1 or 2, 1975, voluntarily and furnished it to U. S. Vice-consul [redacted] in Belize City. It is true and correct to the best of my knowledge and recollection. I have on August 8, 1975, reviewed this statement with [redacted] and [redacted] of the Legal Attache's Office, U. S. Embassy, [redacted].

"s/s [redacted]
"August 8, 1975

"s/s [redacted] 8/8/75
"s/s [redacted] 8/8/75"

INFORMATION REGARDING ASSASSINATION
OF PRESIDENT JOHN F. KENNEDY

On August 8, 1975, [redacted] was contacted at the penitentiary of [redacted] and he stated as follows:

He had previously claimed knowledge of a payment to Sirjan Sirjan because he was "scrambling," that is trying to find some way to preclude his execution which was to take place on the morning of July 22, 1975. He, nevertheless, affirmed that the statement concerning the delivery of money to Lee Oswald was the truth. He pointed out that he has been in almost daily contact with a minister named [redacted] in [redacted] and he also referred to a bible which he had in his possession, and explained that he realized his life would soon end and he wished to clear his conscience. He stated with respect to the associate of Ebb Rose and Attorney (First Name Unknown) Scott said "Webby" would now be about 55 to 60 years of age and was a man of large stature; he stated he never saw Webby prior or subsequent to the meeting in the office of Ebb Rose in Houston. He stated that Attorney Scott would be a man in his fifties, whose law firm is located in Fort Worth, Texas. He said Scott handled legal matters for the [redacted] Trucking Company and he had also observed Scott in Los Angeles as well as Houston. He said that Ebb Rose, in the presence of Webby and Scott, had given him $3,000 in $100 bills for the delivery to Oswald and Holland. He said that at the time he had the idea that the money was to be used to bring about the death of the father of Ebb Rose, who owned the trucking company. He stated that he had never seen James Holland before or after the meeting in Dallas when he turned over the $100,000 to them. He said Holland seemed to dominate the meeting, that is Oswald was in the employ of Holland. [redacted] claimed that he recalled the car driven by Oswald and Holland was a 1961 model Chevrolet, white in color, with red interior and bearing Texas license plates; he recalled that he himself drove a 1955 Oldsmobile, two-tone blue, to the meeting with Oswald and Holland.

[redacted] related that he quit employment with the C&H Transportation Company in Dallas in 1965 and opened his own trucking business in Nederland, Texas, being assisted by Ebb Rose in the purchase of trucks and trailers. He said he sold out and went to Belize in 1966 - 1967. He returned to Texas and was reemployed by Rose who sent him to the Los Angeles terminal of [redacted] Trucking Company where he

worked during 1968 and 1969. He stated that in 1969, two brothers who owned a truck which they leased to the [redacted] Trucking Company, attempted to choke him while in a car at Whittier, California, and [redacted] accelerated the car to free himself and believed the brother who had reached in the car to choke him was seriously injured as he hung on to the car for some time before dropping off. [redacted] believed that this was an attempt by Rose to eliminate him and the possibility of ever talking about the payoff to Oswald. [redacted] stated he thereafter returned to Houston but did not again contact Ebb Rose.

[redacted] stated that the attache case in which Ebb Rose had furnished him the money for delivery to Oswald was used by [redacted] for several years thereafter and in approximately 1972 Moore left the attache case, containing shirts and underwear, at the residence of an elderly woman living in an apartment project possibly called King's Row, in Pasadena, Texas. He said that this woman used to babysit for the children of [redacted], who was the girlfriend of Moore at that time.

Information previously developed reflects that [redacted], who was born December 4, 1932, at Paris, Texas, has FBI Number [redacted]. He had been arrested by [redacted] authorities on October 24, 1973, charged with the [redacted]r of a U. S. citizen and the attempted murder of two [redacted]. He was convicted of murder in [redacted] court and sentenced to death.

TRANSLATION FROM SPANISH

Airmail envelope is addressed to "Mr. Ford, President, Washington, U.S.A., D.C.," and is postmarked as follows: "U.S. POSTAL SERVICE FL330, PM, JUL 23, 1975."

The return address is:

"Joe Figal
Penn. Ave.
Miami."

* * *

You should know this: there is a man in Miami Beach who has been able to come over, using an original plan, and who knows that Fidel Castro paid a large sum to have President Kennedy assassinated. So far I know that he ordered him killed because of a promise he made -- at a place which I'll tell you about -- this was made by President Kennedy.

Lee Harvey Oswald used to make propaganda for Fidel in New York. Oswald went to Cuba via Mexico, but this was not known. He went as a stowaway because the Mexican government -- which, at that time, was an accomplice in this -- wanted it done that way.

Fidel has ordered people in this country killed, and they were killed. I'll tell you who they are.

Jose Figueres will receive $5,000,000 if Fidel is accepted or his government is recognized by the OAS. Figueres loaned this amount to Fidel for the Cuban Revolution. He was there to embrace him on the day Fidel seized power.

REC 17 62-109060 7237

Fidel promised Russia to take over the Americas.

12 AUG 28 1975

CORRESPONDENCE

TRANSLATED BY:
MADELEINE T. STONE:sla
August 12, 1975

And when he is here, in the U. S. A., he will fulfill his promise to Russia.

Know this too: this was said by the guy who arrived. Fidel ordered the shooting of the son of Juanita Castro, his sister, who is in Miami. He was 16 years old. She wasn't married when she had him, but his father is a journalist who lives in Miami.

When Fidel's mother went to him to beg mercy for her grandson, whom she knew had been arrested, Fidel told her: "He's already been shot." The mother set fire to herself.

(marginal notes)

This shooting and the fact that his mother burned herself have not been made public. These incidents are not spoken about.

The Russians deducted $1,000,000 from Fidel's debt because he got Venezuela to sell oil to them.

JUL 2[illegible]

Sepa ésto: Está en Miami Beach,un hombre que ha podido venir-usando un plan original-y que sabe que Fidel Castro pagó gran cantidad para que asesinaran al Presidente Kennedy. Hasta ahora sé,que lo mandó a asesinar por una promesa que hizo-en el lugar que ya les dire, ésta la hizo el Presidente Kennedy.

Lee Harvey Oswarld,que hacía propagan por Fidel,en New York. Cswarld fué a Cuba,vía a Mexico,sin que ésto se supiera;pues fué,apareciendo como polizón,porque el Gobierno Mexicano,de esa época,aunque era cómplice del caso, que se iba a realizar,quiso que lo hiciera así.

De los que Fidel ha mandado a asesina en éste País y que fueron asesinados,ya les diré quiénes son.

Jpsé Figueres recibirá $5.000.000 de dollar:s si Fidel es admitido o reconocido su Gobierno en la Oea.Pues ésta cantidad se la prestó Figgneres a Fidel para la Revolución en Cuba. A donde fué a abrazarlo el día de la toma de Posesi de Fidel.

Fidel le prometió a Rusia apoderarse d las Amaréricas.

Y cuando ya esté aquí,en los E.U.A.entonces cumplirá con Rusia.

Previamente sepa esto:Lo dice el hombr que llegó:Fidel mandó a fusilar a un hijo de Juan Castro-su hermana-que se halla en Miami.Este tenía Años.Lo tuvo sin haberse casado,pero el Padre de e es un Periodista que está en Miami.

Cuando la Madre de Fidel fué a pedirle mencia por su nieto,que ella supo estaba detenido. le dijo:Ya fué fusilado.La madre se quemó con Luz llante y alcohol.

Este fusilamiento y que la madre se quemó.No se ha publicado.Se guardó en silencio.

Fue TIA
RUSIA: DE LA DEUDA. QUE TIA
FIDEL, REBAJÓ #1.000.000 A
POR QUE LO GRO Que VENGAZUE
LA VENGANZA PERO LEO.

3:52 PM URGENT 8/11/75 [redacted] JD

TO DIRECTOR, FBI NR 602-11

FROM LEGAT [redacted] 4P

AUG 12 1975

TELETYPE

Asst. Dir.:
Admin.
Comp. Syst.
Ext. Affairs
Files & Com.
Gen. Inv.
Ident.
Inspection
Intell.
Laboratory
Plan. & Eval.
Spec. Inv.
Training
Legal Coun.
Telephone Rm.
Director Sec'y

INFORMATION RE ASSASSINATION OF PRESIDENT JOHN F. KENNEDY.

ON AUGUST 7, 1975, U. S. VICE CONSUL [redacted] ADVISED THAT [redacted] A U. S. CITIZEN CONDEMNED TO DEATH FOR MURDER IN [redacted] ON JULY 18 LAST VERBALLY RELATED TO [redacted] THAT HE HAD DELIVERED MONEY TO LEE HARVEY OSWALD A FEW DAYS BEFORE THE ASSASSINATION OF PRESIDENT JOHN KENNEDY AND HAD ALSO DELIVERED MONEY TO SIRHAN SIRHAN JUST PRIOR TO ASSASSINATION OF SENATOR ROBERT KENNEDY. [redacted] RETRACTED THE STORY ABOUT SIRHAN BUT INSISTED THE OSWALD CONTACT WAS TRUE.

[redacted] WAS SCHEDULED FOR EXECUTION IN BELIZE ON JULY 22 BUT RECEIVED REPRIEVE ON NIGHT OF JULY 18. HIS FATE IS NOW ON APPEAL TO QUEEN OF ENGLAND BUT EVEN IF EXECUTION IS COMMUTED HE FACES LONG IMPRISONMENT.

VICE CONSUL [redacted] TOLD [redacted] TO WRITE STATEMENT DETAILING CIRCUMSTANCES OF OSWALD CONTACT. [redacted] DELIVERED SUCH STATEMENT TO [redacted] ABOUT AUGUST 1. THIS STATEMENT OBTAINED BY LEGAT REPRESENTATIVES CLAIMS FOLLOWING:

SEP 1975

SEP AUG 20 1975

SI 109

EQ 27

62-107060723

5 pgs

6 lm

reason 1-1.7
11 K.S DL HO
8/13/75 WEN:mer
DL & HO to check files & Name. DL to advise re suggested mail to gal...

[redacted] IN NOVEMBER, 1963, WAS EMPLOYED BY C & H TRANSPORTATION COMPANY AT DALLAS, TEXAS. HE RECEIVED CALL FROM HIS FORMER EMPLOYER EBB ROSE, SON OF [redacted], TO PROCEED TO ROSE TRUCKING OFFICE IN HOUSTON. THERE ON A FRIDAY NIGHT HE CONFERRED WITH EBB ROSE, ATTORNEY (FNU) SCOTT FROM FORT WORTH, AND PERSON KNOWN AS WEBBY. ROSE AND SCOTT TOLD [redacted] HE WAS TO DELIVER MONEY FOR A QUOTE HIT UNQUOTE AND THAT ONE JAMES HOLLAND OR LEE OSWALD WOULD CALL HIM AT WORK IN DALLAS TO ARRANGE FOR DELIVERY OF MONEY. ROSE GAVE [redacted] AN ATTACHE CASE WITH MONEY AND $3,000 IN LOOSE 100 BILLS AS MOORE'S PAY. THE FOLLOWING WEEK OSWALD CALLED [redacted] TO MEET AT A LIQUOR STORE, POSSIBLY CENTENNIAL LIQUOR STORE, ON HIGHWAY 183, DALLAS. [redacted] GAVE OSWALD HIS LICENSE NUMBER AND HOLLAND AND OSWALD AFTER LOCATING [redacted] HAD HIM FOLLOW THEM IN THEIR 1961 WHITE CHEVROLET, RED INTERIOR, TO A MOTEL ON THE HARRY HINES BOULEVARD TRAFFIC CIRCLE.

THE MOTEL IS LOCATED ACROSS FROM A RESTAURANT BUILT LIKE A SHIP. IN THE MOTEL [redacted] DUMPED THE MONEY FROM THE

ATTACHE CASE ONTO A BED.

OSWALD COUNTED THE MONEY WHICH AMOUNTED TO 100,000 DOLLARS IN FIFTIES AND HUNDREDS IN BANK WRAPPERS. HOLLAND REMARKED QUOTE THIS WAS THE DOWN PAYMENT LEE BABY UNQUOTE. A FEW DAYS LATER [redacted] SAW OSWALD ON TV COVERAGE.

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[redacted] CLAIMED ROY HILLIARD, FORMER TEXAS HIGHWAY PATROLMAN EMPLOYED BY [redacted], WHO KNEW MOORE IN SPUR, TEXAS, HAD INFORMED EBB ROSE OF [redacted] CRIMINAL BACKGROUND, THUS, PRESUMABLY, RESULTING IN SELECTION OF

[redacted] FOR DELIVERY OF MONEY.

[redacted] HAS FBI NUMBER [redacted] BORN DECEMBER 4, 1932, IN PARIS, TEXAS, ARRESTED IN [redacted] FOR MURDER ON OCTOBER 24, 1973. HE IS SUBJECT OF BUFILE [redacted], DALLAS FILE [redacted] HOUSTON REFER TO [redacted]

SUBMITTED FOR BUREAU'S INFORMATION. SUGGEST ABOVE BE FURNISHED TO DALLAS TO MAKE APPROPRIATE RECORD CHECKS ON INDIVIDUALS MENTIONED AND CONSIDER INTERVIEWING EBB ROSE.

LHM TO FOLLOW BY AIRTEL.

END

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Gallagher

DATE: 9/9/75

FROM : B. H. Cooke

SUBJECT: ASSASSINATION OF PRESIDENT JOHN F. KENNEDY, 11/22/63 DALLAS, TEXAS

1 - Mr. Callahan
1 - Mr. Adams
1 - Mr. Gallagher
1 - Mr. O'Connell
1 - Mr. Cooke
1 - Mr. Nettles
1 - Mr. Cleveland

Dep. AD Adm.
Dep. AD Inv.
Asst. Dir.:
Admin.
Comp. Syst.
Ext. Affairs
Files & Com.
Gen. Inv.
Ident.
Inspection
Intell.
Laboratory
Legal Coun.
Plan. & Eval.
Spec. Inv.
Training
Telephone Rm.
Director Sec'y

Attached is a UPI release of 9/8/75 concerning statements of Senator Richard Schweiker of Pennsylvania asking the Senate to reinvestigate the assassination of President Kennedy.

The Director asked to be advised regarding two parts of the release. The first states, "Schweiker said Ruby was an FBI informer, according to a letter Hoover wrote himself."

Concerning this, Ruby was contacted nine times by Dallas Agents in 1959 to determine his potential as a criminal informant. This was based on his position as a nightclub operator who might have knowledge of the criminal element in Dallas. He furnished no information during the contacts and the case was closed. This information was furnished to J. Lee Rankin, General Counsel of the Warren Commission, by letter of 6/9/64, from Director Hoover.

The second part of the article the Director asked about states, "Schweiker held up a document from the Warren Commission, previously labeled top secret, which he said meant that CIA Director Allen Dulles 'acknowledged that FBI Director (J. Edgar) Hoover might lie to the Warren Commission about FBI links with Lee Harvey Oswald, even if asked by the President to answer truthfully.'"

EX-110 REC-45 62-107060-7239

Regarding this, a UPI release on 11/28/74 set forth information regarding a private meeting of the Warren Commission held on 1/27/64. The information came from a transcript of the meeting that had recently been declassified and obtained by Warren Commission critic - author Harold Weisberg under the Freedom of Information Act and was published in his new book, "Whitewash IV." The transcript related to a discussion in which former CIA Director and Warren Commission member Allen W. Dulles told the other members that they had no choice

Enclosure

CONTINUED - OVER

57 SEP 18 1975 ENCLOSURE

but to accept J. Edgar Hoover's denial that Lee Harvey Oswald was ever an undercover FBI Agent. The transcript quotes Senator Richard B. Russell, who was a Warren Commission member, as commenting to Dulles, "If Oswald never had assassinated the President, or at least been charged with assassinating the President, and had been in the employ of the FBI and somebody had gone to the FBI, they would have denied he was an Agent." Dulles replied, "Oh, yes." Russell then said, "They would be the first to deny it. Your Agents would have done exactly the same thing." Dulles replied, "Exactly." Dulles added, "I would tell the President of the United States anything. Yes, I am under his control. He is my boss. I wouldn't necessarily tell anybody else, unless the President authorized me to do it." He added, "What I am getting at, I think under any circumstances, I think Mr. Hoover would say certainly he didn't have anything to do with this fellow."

ACTION: For information.

Dep. AD Inv.
Asst. Dir.:
Admin.
Comp. Syst.
Ext. Affairs
Files & Com.
Gen. Inv.
Ident.
Inspection
Intell.
Laboratory
Legal Coun.
Plan. & Eval.
Spec. Inv.
Training
Telephone Rm.
Director Sec'y

UI-10

(CIA)

(BY DANIEL SCHORR)

WASHINGTON (UPI) -- SEN. RICHARD SCHWEIKER, R-PA., SAID TODAY HE IS ASKING THE SENATE TO REINVESTIGATE THE 1963 ASSASSINATION OF PRESIDENT JOHN F. KENNEDY BECAUSE LEE HARVEY OSWALD AND JACK RUBY MAY HAVE HAD CIA AND FBI CONNECTIONS.

NEW EVIDENCE, SCHWEIKER TOLD REPORTERS, SHOWS POSSIBLE CONNECTIONS BETWEEN THE CENTRAL INTELLIGENCE AGENCY AND THE FBI WITH OSWALD, WHO WAS ACCUSED OF SHOOTING KENNEDY WITH A RIFLE IN DALLAS, AND RUBY, THE MAN CHARGED WITH KILLING OSWALD.

SCHWEIKER, A MEMBER OF THE 11-MAN SENATE SELECT COMMITTEE ON INTELLIGENCE, ASKED IN A RESOLUTION TO BE PRESENTED TO THE SENATE THAT NATIONAL ARCHIVES SECRETS OF THE ASSASSINATION, ORDERED SEALED FOR 75 YEARS, BE OPENED; THAT FUNDS BE ALLOCATED FOR A NEW INVESTIGATION; THAT THE NECESSARY TIME PANEL'S MANDATE BE EXTENDED BEYOND JAN. 31, 1976, UNTIL THE ASSASSINATION IS FURTHER CLARIFIED.

SCHWEIKER SAID THE INVESTIGATION SHOULD "FOCUS INITIALLY ON THE ROLE OF U.S. INTELLIGENCE AGENCIES IN INVESTIGATING THE ASSASSINATION OF THE WARREN COMMISSION," WHICH REPORTED THERE WAS NO CONSPIRACY AND THAT OSWALD SHOT KENNEDY NOV. 22, 1963, AND THAT RUBY KILLED OSWALD OF HIS OWN VOLITION.

SCHWEIKER SAID RUBY WAS MOTIVATED IN PART, ACCORDING TO A LETTER HE WROTE HIMSELF FROM

"RECENT DISCLOSURES HAVE DRAMATIZED THE CREDIBILITY OF THE WARREN COMMISSION REPORT," SCHWEIKER SAID.

"WE NOW HAVE EVIDENCE THAT COMMISSION'S PRINCIPAL INVESTIGATIVE ARM -- THE FEDERAL BUREAU OF INVESTIGATION -- DESTROYED SUPPRESSED WITHHELD," SCHWEIKER SAID. "AND THERE ARE INDICATIONS THAT SOME MAY HAVE INSTRUCTED WITNESSES TO DELIBERATELY MISLEAD THE WARREN COMMISSION.

SCHWEIKER HELD UP A DOCUMENT THAT HE SAID WENT FROM DIRECTOR HOOVER'S PERSONAL SECRETARY TO THE WARREN COMMISSION, WHICH HE SAID DIRECTOR HOOVER WRONGLY LABELED TOP SECRET.

SCHWEIKER ALSO CITED THE RECENT ADMISSION BY FBI DIRECTOR CLARENCE KELLEY THAT OSWALD VISITED THE DALLAS FBI OFFICE AND TURNED OVER A LETTER THREATENING TO BLOW UP THE FBI OFFICE OR THE DALLAS POLICE IF THEY PERSISTED IN HARASSING HIS WIFE MARINA.

ENCLOSURE

REC-45 62-109066-7237

EX-110

SEP 16 1975

WASHINGTON CAPITAL NEWS SERVICE

THE LETTER WAS DESTROYED AFTER KENNEDY WAS KILLED BUT "THIS WAS NOT REVEALED TO THE WARREN COMMISSION," SCHEIKER SAID.

HE SAID IT WAS "STRANGE" OSWALD OBTAINED SPEEDY DISCHARGE FROM THE U.S. MARINES, OBTAINED A VISA TO VISIT THE SOVIET UNION WHERE HE RENOUNCED AMERICAN CITIZENSHIP AND, AFTER ORKING IN A SOVIET FACTORY AND MARRYING A RUSSIAN, GOT BACK HIS CITIZENSHIP, A PAID FLIGHT TO THE UNITED STATES AND A NEW PASSPORT.

UPI 09-08 03:42 PED

United States Senate

Washington, D. C., August 4, 1975

Respectfully referred to

Re Assassination of President John F. Kennedy

Congressional Liaison
Dept. of Justice

I would appreciate a review of the matter described in the attached letter. Please send me an appropriate report and return the correspondence.

Thank you,

FED. BU. OF INV.

129-4 EX-104

AUG 11 1975

7 EC-36

OFFICE OF LEGISLATIVE AFFAIRS

CRIMINAL-GEN. CRIMES SEC.

ROBERT P. GRIFFIN
U.S.S.

Form No. 8

FED. BU. OF INV.

62-109060-2246

AUG 22 1975

ENCLOSURE

F.O.I.A.

WPH 19

WPH

FROM / TO	DATE OF DOCUMENT	SUSPENSE DATE
Sen. Robert P. Griffin	8/4/75	8/25/75
Congressional ~~XXXXXXXX~~ Liaison	DATE RECEIVED 8/11/75	CONTROL NO. 11,627
DESCRIPTION: Let of Faye Figelsky.	REFERRED TO: ~~Criminal~~ FBI	DATE: 8/12/75 8-12
REMARKS: PLEASE RETURN COPY OF REPLY ... FORM TO OLA-Room 1139	PREPARE REPLY FOR SIGNATURE OF: ~~Criminal~~ FBI	

MAIL CONTROL — REPLACES AD-820 WHICH MAY BE USED — DJ-295 7-8-73

Let Sen 5/3 + TP 11 h LAK

RBG

62-107060-7240

ENCLOSURE

Senator Robert Griffin
Senate Office Building
Washington, D.C. 20510

Dear Senator Griffin,

Recent coverage by the news media indicated that an interest is surfacing in the reopening of the investigation of the assassination of President John F. Kennedy by the Senate. I have become familiar with many facets of the case, both pro and con. However, I am not qualified to make any judgements for either side of the controversy since the only type of reading material I can obtain reveals a subjective view of the situation; rarely do I find one that is objective in its views. I believe that an objective investigation is necessary both for the American people to gain renewed faith in their government, to fully comprehend what our governmental agencies are capable of doing, and to finally bring the judicial process back into the hands of the people.

My own personal interest, however, for trying to become involved does not contain any philosophical basis. I merely do not like to start things and then give up without some sort of an answer. The assassination became just another one of my intense readings and now there are just too many unsolved questions which I must have answered before I close my book and go on to another.

The purpose of this letter, therefore, is to request some information as to how I may become actively involved in aiding in the reopening of the case. I realize that the matter is a sensitive topic to many important people and that the reopening may not be obtained, or will be detained for a long time due to the upcoming 1976 election. Let's just say that I don't want to wait that long before I go onto my next book.

Sincerely,

Faye Figelsky

Faye Figelsky

orig returned
6 cards

Faye Figelsky
17150 Lee
Southfield, Michigan 48075

62-109060-2240

EX 104 REC-36 62-199060-7740 August 20, 1975

Honorable Robert P. Griffin
United States Senate
Washington, D. C. 20510

Dear Senator Griffin:

Your communication of August 4th to the Congressional Liaison Office of the Department of Justice enclosing a letter from Miss Faye Figelsky of Southfield, Michigan, concerning the reopening of the investigation of the assassination of President John F. Kennedy has been referred to my office.

As I am sure you and your constituent are aware, this Bureau conducted a prompt, intensive and objective investigation of the assassination of President Kennedy at the request of President Lyndon B. Johnson. Results of our investigation were fully and accurately reported to the President's Commission on the Assassination of President Kennedy. All available evidence pointed to one conclusion--that Lee Harvey Oswald acted alone in this crime.

In the interest of thoroughness and justice, the FBI does conduct follow-up inquiries into new allegations regarding the assassination of President Kennedy when appropriate; however, there have been no developments which would raise doubts as to the conclusions of the Warren Commission or warrant the reopening of a full investigation.

As you have requested, your enclosure is returned herewith.

AUG 20 1975 FBI

Sincerely yours,

C. M. Kelley

Clarence M. Kelley
Director

Enclosure
1 - Office of Legislative Affairs - Enclosures (3)
1 - Detroit - Enclosures (2)
1 - Office of Congressional Affairs - Enclosures (3)
NOTE: Bufiles contain no record of correspondent. Response coordinated with Division 6.

Assoc. Dir. ___
Dep. AD Adm. ___
Dep. AD Inv. ___
Asst. Dir.: ___
Admin. ___
Comp. Syst. ___
Ext. Affairs ___
Files & Com. ___
Gen. Inv. ___
Ident. ___
Inspection ___
Intell. ___
Laboratory ___
Plan. & Eval. ___
Spec. Inv. ___
Training ___
Legal Coun. ___
Telephone Rm. ___
Director Sec'y ___

WPH:bak (8)

MAIL ROOM ☑ TELETYPE UNIT ☐

GPO 954-546

WSH WSB
2-000082E174 06/23
ICS IPMRNCZ CSP
7187553115 MGM TDRN DEL MAR CA 172 06-23 0008A EST
ZIP

western union Mailgram

UNITED STATES MAIL

FED. BU. OF INV.

FED. BU. OF INV.

PRESIDENT FORD
WHITE HOUSE DC 20500

Re Assinations

WARREN COMMISSION DOCUMENT DECLASSIFIED IN MARCH 1975 OF WILLIAM T COLEMAN JR AND DAVID SLAWSON TO J. LEE RANKIN ENTITLED "OSWALD'S FOREIGN ACTIVITIES: SUMMARY OF EVIDENCE WHICH MIGHT BE SAID TO SHOW THAT THERE WAS FOREIGN INVOLVEMENT IN THE ASSINATION OF PRESIDENT KENNEDY" SAYS ON PAGE 111 "THE MOTIVE ON THIS WOULD OF COURSE BE THE EXPECTATION THAT AFTER THE PRESIDENT WAS KILLED OSWALD WOULD BE CAUGHT OR AT LEAST HIS IDENTITY ASCERTAINED. THE LAW ENFORCEMENT AUTHORITIES AND THE PUBLIC WOULD THEN BLAME THE ASSINATION ON THE CASTRO GOVERNMENT. THE CALL FOR ITS FORCEFUL OVERTHROW WOULD BE IRRESISTIBLE. A "SECOND BAY OF PIGS INVASION" WOULD BEGIN THIS TIME, HOPEFULLY, TO END SUCCESSFULLY"

"THE FOREGOING IS PROBABLY ONLY A WILD SPECULATION, BUT THE FACTS WE ALL READY KNOW ARE CERTAINLY SUFFICIENT TO WARRANT ADDITIONAL INVESTIGATION"

THE ABOVE WAS WRITTEN IN THE SPRING OF 1964. I HAVE DOCUMENTS ESTABLISHING THAT THIS IS NOT "WILD SPECULATION" BUT THE ACTUAL MOTIVE FOR THE ASSINATION. I WILL DELIVER THESE DOCUMENTS AT YOUR CONVENIENCE.

RICHARD POPKIN 2674 COSTEBELLO DRIVE LA JOLLA CALIFORNIA 92037
PHONE 7144566966

0030P EST

MGMWSHT WSB

REC-36 62-116706-7241

ST 109

19 AUG 20 1975

No action
Necessary
Popkin's
Previous
Letter

5 SEP 8 1975

CORRESPONDENCE
UNIT

PLAINTEXT TELETYPE URGENT

8/31/75

TO ALL SAC, ~~RENOTEL~~

FROM DIRECTOR, FBI (62-109060)

ASSASSINATION OF PRESIDENT JOHN F. KENNEDY, NOVEMBER 22, 1963, DALLAS, TEXAS.

FOR YOUR INFORMATION AND ASSISTANCE IN THE EVENT INQUIRIES ARE RECEIVED BY YOUR OFFICE, THE FOLLOWING STATEMENT WAS RELEASED LAST NIGHT IN RESPONSE TO INQUIRIES FROM THE DALLAS TIMES-HERALD:

"FBI DIRECTOR CLARENCE M. KELLEY CONFIRMED TODAY THAT INQUIRIES CONDUCTED IN RESPONSE TO QUESTIONS ASKED BY THE DALLAS TIMES-HERALD TEND TO SUBSTANTIATE THAT LEE HARVEY OSWALD VISITED THE DALLAS FBI OFFICE SEVERAL DAYS PRIOR TO THE ASSASSINATION OF PRESIDENT KENNEDY, APPARENTLY AS THE RESULT OF AN INTERVIEW BY AN FBI AGENT OF HIS WIFE MARINA IN CONNECTION WITH THE FBI INVESTIGATION OF LEE HARVEY OSWALD PRIOR TO THE ASSASSINATION WHICH WAS DOCUMENTED IN THE WARREN COMMISSION REPORT. OSWALD LEFT A NOTE ADDRESSED TO THIS AGENT

EA 104 REC-36 62 109060-7243

AND ALTHOUGH RECOLLECTIONS VARY AS TO THE WORDING OF THE NOTE, IT WAS FOR THE PURPOSE OF WARNING THE AGENT TO DESIST FROM

Adsec. Dir. ___
Dep. AD Adm. ___
Dep. AD Inv. ___
Asst. Dir.:
Admin. ___
Comp. Syst. ___
Ext. Affairs ___
Files & Com. ___
Gen. Inv. ___
Ident. ___
Inspection ___
Intell. ___
Laboratory ___
Plan. & Eval. ___
Spec. Inv. ___
Training ___
Legal Coun. ___
Telephone Rm. ___

GWG:mkc (78)

1 - Mr. Callahan
1 - Mr. Adams
1 - Mr. Jenkins
1 - Each Assistant Director
1 - Mr. Gunn

SEP 2 1975
FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

AUG 31 1975

TELETYPE

56 SEP 19 1975

FURTHER INTERVIEWS OF HIS WIFE.

FBI INQUIRIES TO DATE ESTABLISH THAT THE NOTE CONTAINED NO REFERENCES TO PRESIDENT KENNEDY OR IN ANY WAY WOULD HAVE FOREWARNED OF THE SUBSEQUENT ASSASSINATION. PRIOR TO THE CURRENT FBI INQUIRIES, THERE HAD BEEN NO INFORMATION CONCERNING THIS VISIT AND NOTE RECORDED IN FBI RECORDS; AND INQUIRIES TEND TO CORROBORATE THAT SHORTLY AFTER THE ASSASSINATION THE NOTE IN QUESTION WAS DESTROYED. INQUIRIES ARE CONTINUING TO DETERMINE THE FULL FACTS CONCERNING THE HANDLING OF THIS MATTER.

THE ATTORNEY GENERAL HAS, FROM THE INCEPTION, BEEN KEPT INFORMED OF THE PROGRESS OF FBI INQUIRIES TO DATE. DIRECTOR KELLEY HAS INDICATED THAT THERE WILL BE NO FURTHER COMMENT FOR PUBLICATION UNTIL ALL INQUIRIES HAVE BEEN CONCLUDED AND THE MATTER CONSIDERED BY THE DEPARTMENT."

IN THE EVENT INQUIRIES ARE RECEIVED BY YOUR OFFICE YOU ARE TO REFER THEM TO THE ABOVE STATEMENT AND MAKE NO ELABORATIONS ~~UPON.~~ THEREON.

western union Telegram

IPMHNCZ CSP
7144536966 MGM TDH LA JOLLA CA 100 06-22 0111 EST
ZIP

CLARENCE KELLEY CHIEF FBI
WASHINGTON DC 20535

COPY OF MESSAGE SENT TO PRESIDENT FORD:

I HAVE DOCUMENTS INDICATING THAT FIDEL CASTRO TRIED TO FOIL THE PLOT TO ASSASSINATE JOHN F KENNEDY BUT THAT THE FBI PREVENTED HIM FROM STOPPING THE ASSASSINATION I WILL PRESENT THESE DOCUMENTS TO YOU AT YOUR EARLIEST CONVENIENCE

RICHARD H POPKIN
2470 COSTA BELLE DR
LA JOLLA CAL 92037
7144536966

0111 EST

MGMWSHT HSB

EX-106

REC 68 [illegible] -7243

1 SEP 2 1975

No action.
Popkin wants
Dept. and
FBI

File

SEP 25 1975

FBI

Date: 8/28/75

Transmit the following in _____ (Type in plaintext or code)

Via AIRTEL _____ (Priority)

TO: DIRECTOR, FBI (62-109060)

FROM: SAC, DALLAS (89-43)

SUBJ: ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY
November 22, 1963, Dallas, Texas

Re Dallas nitel to Bureau dated 8/14/75.

On 8/28/75, no identifiable information or records could be located on EBB ROSE, J. H. ROSE, or JAMES HOLLAND at the Dallas Police Department, Dallas County Sheriff's Office, and Credit Bureau Services of Dallas.

EX-110

REC-24 62-109060-72444

AUG 30 1975

(2) - Bureau
1 - Houston
2 - Dallas
JKH:blm
(5)

Approved: _____ Sent _____ M Per _____

Special Agent in Charge

U.S. GOVERNMENT PRINTING OFFICE : 1969 O - 346-000 (11)

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA FPMR (41 CFR) 101-11.6

UNITED STATES GOVERNMENT

Memorandum

Assoc. Dir. ____
Dep. AD Adm. ____
Dep. AD Inv. ____
Asst. Dir.:
Admin. ____
Comp. Syst. ____
Ext. Affairs ____
Files & Com. ____
Gen. Inv. ____
Ident. ____
Inspection ____
Intell. ____
Laboratory ____
Legal Coun. ____
Plan. & Eval. ____
Spec. Inv. ____
Training ____
Telephone Rm. ____
Director Sec'y ____

TO : Mr. Callahan

DATE: 8/31/75

FROM : J. B. Adams

1 - Mr. Jenkins
1 - Mr. Bassett

SUBJECT: LEE HARVEY OSWALD MATTER

At 12:02 p.m., today 8/31/75, [redacted], Dallas Times-Herald telephonically advised my that he had received a telephone call at 10:50 a.m. Dallas time, 11:50 a.m. Washington, D. C. time, from an adult female who advised she was an Agent of the Dallas Field Office. She did not identify herself and appeared to be in the 30 - 50 age range and had a polished articulate manner of speaking. There was an adult male in the background with whom she conversed in very low tones.

The anonymous caller advised Mr. [redacted] that in relationship to the newspaper publicity in the Dallas Times-Herald concerning the Lee Harvey Oswald visit to the Dallas Office that "not everyone in Dallas knew about it and we think it unfair to leave the impression that many of the men knew about it. In case you are interested Mr. Hosty destroyed the note on "orders of Mr. Howe. Mr. Gemberling was handling the case. Mr. Bill Anderton (possibly Anderson) and Mr. Horton also knew of it. Mr. Gemberling knew about the note and saw it but it was destroyed on instructions of Mr. Howe."

I advised Mr. Bassett of Mr. [redacted] call in order that he consider this information in connection with his continuing inquiries into the matter.

ACTION:

Information only.

JBA:mkc (3)

CONTINUED - OVER

REC-87 7244X
ENCL 109
18 NOV 18 1976

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

ADDENDUM:

[redacted] called again at 1:36 p.m., to advise that he had received a follow-up call which he feels was from the same female anonymous caller although she did not state she had previously called. This second caller requested it was important that he know precisely the identities of the individuals who had knowledge of the Oswald visit. She furnished him with the following names:

Robert P. Gemberling, who lives on Clemson Street, Dallas, Texas.

Urial Horton, who lives in Duncanville, Texas.

Bill Anderton, who lives on North Lake Highlands, Dallas, Texas.

Mr. Hosty, who is in Kansas City Office.

Mr. Howe, who now is in San Diego Office, although the news article indicated he had been transferred to Seattle.

The anonymous caller indicated that it was common knowledge among these individuals although only Hosty, Howe and Gemberling saw the note and had it in their possession. The caller indicated it was important that [redacted] localize this knowledge and he has a responsibility to check it out and publish it to avoid the inference that the knowledge was widespread in the Dallas Office. Mr. [redacted] was furnishing this information to the FBI in order that it could be properly checked.

VICE-PRESIDENT NELSON ROCKEFELLER
WASHINGTON DC 20501

WARREN COMMISSION DOCUMENT DECLASSIFIED IN MARCH 1975 OF WILLIAM T COLEMAN JR AND DAVID SLAWSON TO J. LEE RANKIN ENTITLED "OSWALD'S FOREIGN ACTIVITIES: SUMMARY OF EVIDENCE WHICH MIGHT BE SAID TO SHOW THAT THERE WAS FOREIGN INVOLVEMENT IN THE ASSINATION OF PRESIDENT KENNEDY" SAYS ON PAGE 111 "THE MOTIVE ON THIS WOULD OF COURSE BE THE EXPECTATION THAT AFTER THE PRESIDENT WAS KILLED OSWALD WOULD BE CAUGHT OR AT LEAST HIS IDENTITY ASCERTAINED, THE LAW ENFORCEMENT AUTHORITIES AND THE PUBLIC WOULD THEN BLAME THE ASSINATION ON THE CASTRO GOVERNMENT, THE CALL FOR ITS FORCEFUL OVERTHROW WOULD BE IRRESISTIBLE. A "SECOND BAY OF PIGS INVASION" WOULD BEGIN THIS TIME, HOPEFULLY, TO END SUCCESSFULLY"

"THE FOREGOING IS PROBABLY ONLY A WILD SPECULATION, BUT THE FACTS WE ALL READY KNOW ARE CERTAINLY SUFFICIENT TO WARRANT ADDITIONAL INVESTIGATION"

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RICHARD W POPKIN 2674 COSTERELLO DRIVE LA JOLLA CALIFORNIA 92037
PHONE 714-453-0966

00:12 EST

MGM-561 MSH

62-109060-

ENCLOSURE

OFFICE OF THE VICE PRESIDENT

WASHINGTON

June 30, 1975

John F. Kennedy

Mr. Richard H. Popkin
2674 Costebello Drive
La Jolla, California 92037

Dear Mr. Popkin:

The Vice President asked me to reply to your mailgram of June 23, 1975, in which you say you have documents establishing a motive for the assassination of President Kennedy.

In view of its contents, I am forwarding a copy of your mailgram to the Federal Bureau of Investigation, for review and appropriate action.

Sincerely,

Peter J. Wallison
Counsel to the Vice President

EX-110 REC-41 62-107060

No action necessary. Popkin has sent the Dept. the same material as Quaire.

1 SEP 2 1975

CORRESPONDENCE file

6-1M 62-107060

4 SEP 23 1975

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

SEP 03 1975

TELETYPE

Assoc. Dir.	
Dep.-A.D.-Adm.	
Dep.-A.D.-Inv.	
Asst. Dir.:	
Admin.	
Comp. Syst.	
Ext. Affairs	
Files & Com.	
Gen. Inv.	
Ident.	
Inspection	
Intell.	
Laboratory	
Plan. & Eval.	
Spec. Inv.	
Training	
Legal Coun.	
Telephone Rm.	
Director Sec'y	

NR003 NH PLAIN

4:20PM NITEL SEPT. 3, 1975 VEM

TO: DIRECTOR (62-109060)

FROM: NEW HAVEN (100-18158)

ASSASSINATION OF PRESIDENT JOHN FITZGERALD KENNEDY, 11/22/63, DALLAS, TEXAS. MISCELLANEOUS - INFORMATION CONCERNING.

RE NH PHONE CALL TO BUREAU 9/3/75.

INDIVIDUAL NAMING HIMSELF CLINT NICKERSON, TORONTO, CANADA, TELEPHONICALLY CONTACTED ASAC FRANCIS X. O'NEIL, JR., STATING HE WAS DOING RESEARCH ON KENNEDY ASSASSINATION AND SINCE ASAC O'NEILL HAD BEEN PRESENT DURING KENNEDY AUTOPSY AT BETHESDA, MD., WANTED TO KNOW IF HE AGREED WITH AUTOPSY FINDINGS AS PROMULGATED BY THE WARREN COMMISSION REPORT. FURTHER, HE WANTED TO KNOW WHEREABOUTS OF SA JAMES SIBERT WHO WAS PRESENT WITH ASAC O'NEILL 11/22/63 AT BETHESDA. IN ADDITION, STATED IN VIEW OF RECENT PUBLICITY AFFORDED KENNEDY ASSASSINATION, WANTED TO KNOW IF O'NEILL WOULD BE FREE TO DISCUSS HIS PARTICIPATION IN INVESTIGATION. HE WAS ADVISED ASAC WOULD HAVE NO COMMENTS TO MAKE CONCERNING THE ASSASSINATION AND ANY INQUIRIES SHOULD BE DIRECTED TO FBI HQTRS, WASHINGTON, D.C., ATTN ASSISTANT DIRECTOR, EXTERNAL AFFAIRS DIVISION.

NH INDICES NEGATIVE RE NICKERSON.

END

LXS FBIHQ CLR

REC-16 62-109060-7246

EX-106

SEP 5 1975

5 SEP 23 1975

MA - F

OFFICE OF THE VICE PRESIDENT

WASHINGTON

July 3, 1975

REC-20

Mrs. [redacted]

Budge Street
Sag Harbor, Long Island, N.Y. 11983

Dear Mrs. [redacted]

The Vice President asked me to reply to your letter, in which you outline your views on the CIA in relation to the assassination of President Kennedy and Robert F. Kennedy.

In view of its contents, I have turned your letter with attachments over to the FBI for review and appropriate action.

As you requested, I am returning with this letter your brother's transcript of military record and certificate of discharge from the Army.

Very truly yours,

Peter J. Gallivan
Counsel to the Vice President

EX-106 62-109060-1

REC-41

Enclosures

(1) Action

62-109060

9

5 SEP 29 1975

ENCLOSURES ATTACHED

Log Haven Fl.

Mr. Vaughn

Hey God how
Work and our
sister Jenny were
crucified for a
scholarship I were
in the eigh grade.
I love you though
so much I did not
get the books of
that Rotten Joseph the
Reynolds that I can't
even remember the
for all I know
fis that when I was
in the eighth grade.
the South Carolina High
School had the highest

in the State of New York and awarded a special scholarship to the student boy or girl in the eighth grade who made the highest marks. I was the one I didn't want to take the tests for it because I was afraid I would fail but Prof. who was in 1st year high school was me to take the test and I did and passed with flying colors. Only Sabrina Josephine was green eyed with jealousy and caused me much trouble both in school and

rotten lies. I got so sick that I dropped out of school two weeks before the semester was out. After that I worked but often was forced to follow Josephine around to keep her out of trouble both in speakeasies and even believe it or not house boats in Patchogue and Blue Point. She tried her best to make a bum out of me but instead I turned on the Duty Chief of Police Charles McNeil who was in back of it. I think he was the one who got that

M.A.
FC

at home that my
father begged me
not to accept it and
forget about going
to college even if my
tuition was to be
paid in any college
in the State along
with my food board
and keep. That when
Josephine robbed the
Principals office of
247 and blamed it on
me and said I did
it to pay Frank to
keep his mouth shut
because we were having
sex relations together
that was nothing but

ruptured appendix
I decided to stay
home then became
Josephine showed up
Jack said she was
married to Steve
Reynolds 2d Cousin
Albert the school
principal made
arrangements for
me to get a job in
Freeport was a family
by the name of Flanklin
which I did. I took
up a course in the
Freeport business
school and pioneer
high school that
and got my diploma
I also passed my
entrance exam to
Hofstra University

duty State Trooper
interested in me
when my Parents sent
me to Oklahoma to
work as a maid. I
guess me just after
another Glimpse of
him but he always
located me through
Josephine who also
followed me around.
I finally left them
in Hightstown when I
was 19 years old. That
was the year Our
Brother Leo died. I
was called home
just two days before
he died from a

was looking a
maid in Richmond
Center. She took it
with that State
Trooper and that was
the last I saw
them for awhile. In
the meantime I met
Andrew Robey and he
asked me to marry him
and I decided to do
it because I felt
I could not go to
college under any
circumstances but I
could pass the
scholarship down to
my child if I had
one. I don't know
why but Mrs Klopfer

with marks of 100%
on every Paper. The
mistake Brenda was
to write and tell my
Doctor about it and
he stupidly told
Josephine who happened
to come home to inquire
how I was. The
next thing I knew
the State Trooper
was calling on the phone
and ringing the door
bell to try and get me
to go out with him.
I wouldn't have
any thing to do with
him and then Josephine
came in she told me

to be married and
Bud or who wanted
Qualify in High School
Dignitaries to my
Brother Tommy who
was only a kid then.
From the way Bob
Reynolds turned out
I wonder just what
con he is? Steve Reynolds
or that rotten State
Inspector knew that Josephine
Reynolds was carrying
on with him and she
did for years. I knew
that she wanted him
to marry her but he
wouldn't and when his
friend got killed
on the Jones Beach
Turnpike and a State

Probably because
she was married for
a few years and never
got pregnant. I talked
me into saying that
if I could not have
a child I should
pass it on to some
else in the family.
Josephine Reynolds
and this old woman
me to pass it on to
her. Somehow
she told me she was
pregnant but was
going back to Utah.
I refused to do it
and stood proud
it on to Mike's children.

five months. Then
she showed up
married to Bob Reynolds.
Shortly after they
were married she
started again about
that State Trooper
and the scholarship
and told me that if
I moved back for her
to Bob she would get
me off the hook if not
she showed crucify me
though that State
Trooper and her husband
and Bob and heaven
Bob when he grew up
until she done me
in prison. Everything
she said that State
Trooper did to me
rolled off of me

Troops ale called.
Major Warner in
Albany the he compared
with the books and
fielded him and told
them she was me. He
was under investigation
and blamed me but
I paid no attention to
him but I did tell
him that I didn't
care how a Mayor
Warner's son cried
I do it. I thought he
believed me and now
no more of him of
Josephine Reynolds
Father until after they
were married a

that relationships.
I lived in Copenhagen
but worked in Richmond
Hill at the Wurlitzer
Instrument company
as a machine operator
when who should appear
but Bob Reynolds.
He seems that he
was going to Villanova
University but was
expelled because he
said if I was in my
room he was
going to Adelphi.
He told me that
he was in Politics
Bob Kennedy's group
and that he was
working also for the
C. I. A. He threatened
me with all kinds of.

the winter of 52
a duck hunter
Frank got sick on
the plane and was
sent to Smithport.
Then she started
again with that
State Trooper but
it didn't faze me
one bit. I made
believe she was
imagining everything
until 1952, when I
was told that I
could take Frank
home. My aunt Lee
Cwood spoke to me
and told me because
she also was after

me. that Young McCormick
turned over his store
of the family health
to Bob Kennedy to
pay off the C.J.L.
and left the ground
and for his brother
Jeff Election as President.
He told me to be
told Bob Kennedy
the Young McCormick
did that because
of a guilty conscience
me & Doctor because
it was really Young
McCormick & Jake
the Stone Reynolds
would be a Cripple
all his life. Young
McCormick joined
the priesthood and
was one of the Priest

through
Bob Kennedy at the
C. I. A. I asked him
how he was backed by
Bob Kennedy and he
told me McCormick
Steamship and McCormick
Enterprises. His father
worked for the Panama
Pacific Railroad in Washington at
a land parcel and he
was an investor
until 1952 when he
got his $50,000 damages.
Bob told me that
the Kennedy lawyer
Jerry McCormick
asked for stock papers
mentioned in. He said.

about God and
They even sent a
Jehovahs witness to
me to make a
confrontation objector
out of me. and stole.
Joseph De Leon an
Copious that has
about encast and he
wanted me to go to
Confession. & I drop
out of church and
read the Bible with
the Jehovahs witness
the family stayed
away from me and
I from God. I really
had peace of mind.
Till a sudden it
started in again
although North Port.
about Jehovahs

at Bob Kennedys
funeral. He said
that Leone of
that Bob Kennedy
would settle the
score with me though
the C. I. A. and that
rotten State Trooper
Lloyd O'Chene. I
thought he was crazy
and didn't believe
it but they did
through Church Port
and going to the Church
Body and I was
married in. They even
went to my mother in
laws and told her
the filthy lies

at the hotel where I
was staying. I
started to talk. Just
out in weekends and
we went fore for a
while but after C. I. A.
agent kept hounding
me. He insinuated
that if I had
relations with him he
moved step and I
did. Mr Vaughn
just once and he
stalked. He told me
plenty about the
plots Bob Kennedy
had on the C. I. A.
everything that is
going on now in the
Pipes. He suddenly
realized that he
talked too much

and I went and followed orders like
a sleepwalker.
Everything that
was happening to
us was all their doing
the Reynolds Bob
Kennedy and the C.I.A.
They talked my
husband into moving
to Florida and I
did become
scared for peace of
mind. Everything went
okay for a while then
that C.I.A. guy was
hounding me in the
streets every where I
went and my husband

was from the C.
I. A. I never knew
his name but I could
pick him out of a
crowd because of his
eyes. He had both
blackest eyes I ever
saw on a white man
with very thick long
eyelashes. I know they
were real because I
tried to pull them
off. He also told
me that he was
very fond of Jack
Kennedy also of his
everything that pertained
to him. He told me that
what Bob Kennedy
was paying the
C. I. A. to do in
foreign countries.

and decided he would drive me stark raving crazy and drive me to Freedmans which he did and drive my husband to drink and hoped he'd drop dead. Which almost happened. My husband was in such a fog he didn't know what was happening he thought I meant Fannonas car my brother Frank became that what the guy told him. He doubted he was from the Immigration Veloria ~~Gestapo~~ but he wasn't. He

heart will never
mend but now I
am determined to
fight for his money.
I need it. I tried
to get a job to day
and was turned
down. Too old and
fat I guess. I
would like to
see Bob Reynolds
punished for the
part he played in
what was done to
Ford and I and
Sterling and even my
husband. His motive
seemed to die.
It wasn't my
idea to kill Jack
Ferentz it was my
sister Edna. She

he moved personally put a bullet in Bob Ferguson's head for putting his troubles life in danger. He told me that by the time that happened, I would be driven insane at least three times and I would have such a record no one would believe me.

Then you made love to Mrs. Vaughn, and then as my life story and Frank's, your Honor, Frank my

don't know if
that C. I. A. agent
killed Pres. Kennedy
or not. Only know
what he volunteered to
do. I gave him
this test to the
Rockefeller Commission
and they want to
ask me any question
about test I'll be
glad to answer
them. The C. I. A.
has not contacted
me since. I
have told them now
- Steve Rag[illegible]
meaning that
Covers identity from a
C. I. A. agent from a
picture. His face I
will never forget.
As long as I live.

told me she was
doing it for me but
really she was afraid
of an investigation
and ended
letting the Papers.
I don't care I
am telling you the
truth. I told
them at Booth Post
when I went to tell
them I couldn't take
Jack until after Jo
Reynolds died. I told
Attorney Gray
I wanted to take over
was appointed his
guardian, that's why
they appointed you.

nothing for me. But I'll
just keep [illegible] for a while
longer & see how it
[illegible] for me. I hated to
[illegible] but
he stuck to me through
all this. He [illegible]
no money to give me
just companionship.
& Guess that's something.
Don't know
where Bob Reynolds
is maybe he shot
himself I hope so.

I Guess you know
all about how the
Reynolds accident was
[illegible] for McCormick
Lord & Steel. Phyllis
[illegible]

By the way my brother James youngest daughter got the scholarship she will go to college in September.

It is Sunday morning now I will go to my sisters church and pray for peace of mind.

Thank You.
Sophia J Raby

Blood Sweat Tears and Insanity from a scholarship in the eighth grade to

if they want me
I dont want my
husband F. Boss if
would shot him. If
anyone wants to
shot why I didnt
tell anyone sooner
I was scared
because I was told
the C.I.A was higher
than the F.B.I, about
I know they are
being investigated.
as I'm not sure.
Sophia

I want to send you
a picture of Lucky
Luciano Boy Postacki I
met one day.

Please be sure to
state that Jack
Kennedy did not
know anything about
what his brother Bob
was doing with the
C. I. A. from 1961
till he got shot. I
guess. That C. I. A.
agent told me that
one of the agents told
Fidel Castro that Jack
Kennedy wanted Jimmy
Hoffa killed and then Castro
was out to do
~~to~~ President Kennedy
in.
Please don't send

Dear Jon
I don't know if I am
I am the devoted
sister of one Travis
A. Pollock who was
kept like a caged
animal in Montport
from 1952 by one
psychotic cruelly
minded sister
Josephine Reynolds
although he legally
psychotic cruelly
minded son Robert
James Reynolds who
strong his sublime
Ideals and ruthlessness
got so big that
he would keep moving
Elmer Tylers daughter
of the Bible of

Mr. Rockefeller,

I am sending my letter to you instead of Mr Vaughn because I heard on the radio that someone wants to kill C.I.A. people. I stopped. They called you a liar but you say not. The only thing I want you to get straight is that only C.I.A. agents that told me anything did not tell me Kennedy he said someone in the C.I.A. would do

agent stopped me
Mainly because I
threatened to shit
a bullet in Bob
Reynolds head with
a fireman's Skill
knife. I am waiting
to see what happens.
We were not blamed
nor were we charged
just ordinary law
working people who
were made to look
by Bob Reynolds
and his C.I.A. that
he could not
longer.
The real reason
I sent Bob Reynolds
brought to Justice
is because he tried

the Ex Sin Joseph
Tydings. He said
what he did to me
through the C. I. A.
had taken part in
subversion in our
Work in my county
Virginia and Dr Sophia
Robey was a devil
to his county but
he wasn't he did
it to get even. He
got Gerry McCormick
to Jack him the
lies about me a
man I doubt every
how. I would love
appeared there just
before Kennedy was

through all the whole
family. When I was
God I think how
nobody children
pieces got involved
with the highest
law in the land
but the Bible. Says
when a bad seed
falls on the ground
his soul subject
everyone. Robert James
Reynolds to the
charm of a rattlesnake
and is face-reviews
as one. just like.
his mother who is
now dead may she
burn in hell.

me he is a friend
of Ted Kennedy. Of
Bob Reynolds. I
succeeding em doing
what he did to us
just think what he
moved as if he was
over elected to office
I shudder to think
of it. Pats why
the married Eleanor
Roosevelt. I wonder
how to teach them
to run for Congress
Bob Reynolds is
a bad sled even
worse than his mother
who was a bad sled
and coward Communist.

PF

Please send my
tickets disclosure
papers back to
me I check it
Let the clips fly
where they may
I don't start em
but I wont go to
jail for em.

Sincerely
Sophie Capos Powerbroke
Rebel
Hook Close Capos
Capt 2d Lt
Buffalo
Long Island
11963
tel 925-6142
Please do everything
make D.T or else
my husband and family
killed Gang up and put me
away.

afraid of the C. I. A.
Now I am not
the Veterans
Administration knows
what the C. I. A. did
to me and my
brother Frank but
maybe they are afraid
to look in your
Please make them
know Mr. Vaughn
attorney my brothers
guardian will. Thats
why my sister Edna
Fahnell appointed
another Attorney to
handle Frank Estate
to pay me. Have to
keep quiet about

of C.I.A. [redacted]
but was framed
by Ted Kennedy
for the Quiah
Conspiracy backed by
McCamish a
billions. He was
made a patsy of
by his own family
who he was related
but also by the
cops but could
prove nothing and
I asked do nothing
to help him because
I was afraid no one
would believe me
because of my
hospital record
and besides I was

I could not tell
any body how I
felt it would
happen because I
was afraid of the
C.I.A. for my
husband and my
brother. Any key board
almost dont hesitate
to knock me off. But
now or after I'm
still alive Gods
will.

I know what
happened to Nixon
too because I was
told it would happen
by the same one for
President. He knows

but I tried
through the Pleasant
Mondgenie Lady
blue I was working
but they wouldn't
believe me and sued
me for falsely
people communists
and they brought
in mugshots. This
was in Flushing
I don't remember the
year but you can
check with them
and find out. I
really wound up
in Redmond Ore
in Utah serving
crazy but I
realize it wasn't
my fault.

C.I.A. that
Bob Kennedy said
they needed it be
exposed. The head of
the C.I.A was afraid
he would be made to
look when he decided
to run for President.
I wouldn't be
surprised but what
Robert Jones Reynolds
was on it like
I said candle in
one hand gun &
power in the other
when Jack Kennedy
was shot I went
for and he was
thought I should

of fish spelled
and unfortunately of
Josephine Pozwidlowski
Raffaeles and Gikes
including Thomas
Pozlowski as he
spelled also deceased
A return of World
War II
I was told
Costo who had
Jack Kennedy
that Fidel
that C. I. A. agents
told me because
someone in the C. I. A.
steered out on the
Kennedys and told
Costo that they
were out to get him
but it was the

Josephine Powlowska
Reynolds was always
after us for her
son but I couldn't
Pass us to her
because one I had
promised to either
Frank a Postlers
Children and if
without issue to
Thos Polowski
Children whichever was
eligible at the new
Fall State Board of
Regents would do
it. You can check
my Brother name
was Sophia Agnes
Powlowski Postle

this Flood and cry
is justifiable.
Rodicide a Service
to my country.
The next thing the
Zionists want pay a.
Word to they are to accuse.
but I'm not.
If a nephew will
go as far as he
did after a lousy
scholarship I wish
in the eighth grade
and never stood adversity
of because of the
trouble Josephine
Rose Pietrantoski
caused me in but
passed on on to
my dead brother
Thomas daughter

At first I wanted to see Bob Reynolds in Federal Prison for what he did to us through Bob Kennedy and the C.I.A. but I realize I cant bring my brother back so now I want to do a service to my country and Frank Capo they which he fought for and got back over as I can respect our flag again. If you dont do something to stop him I will flush him out and



Vice President Rockefeller



President Ford

amoral, subtle and devilish activities associated with the SS, the Soviet KGB and the secret police of other totalitarian societies.

Leaving aside the question of CIA involvement in political assassinations or murders, which the Rockefeller panel declined to touch, there is overwhelming evidence of need for internal reform and close supervision of the CIA if the country is to escape domination by those who would restrict liberty in the guise of saving it.

Lest this sound like a harsh judgment from one who, along with Ford and the Rockefeller Commission, believes in the need for covert intelligence gathering, consider only what the commission thinks must be stopped within the U.S.

In brief, that includes unlawful or unchecked CIA maintenance of files on 300,000 individuals and organizations, infiltration of political groups, mail openings, monitoring of overseas phone calls, wiretapping, burglaries, dealings with the underworld, bribery and testing of lethal drugs on unsuspecting citizens.

An Agency Out of Control

That is not a pretty picture of an organization of highly educated, highly paid people whose duty is to preserve a country dedicated to life, liberty and the pursuit of hapiness. It is rather the portrait of an agency out of control, a portrait drawn sorrowfully by a friendly commission.

Yet it is not fair to indict the CIA without also indicting a federal establishment that permitted these excesses.

"The agency, for example wanted to check out what the Soviet KGB had learned in drug experimentation. Could the behavior of a foreign leader be influenced by chemical manipulation? Was there a truth serum the CIA didn't know about? So the CIA surreptitiously began spending tax money on administering drugs like LSD to [illegible] persons, some of them government employes. One jumped to [illegible] in New York while being watched by CIA agents. Two [illegible] by CIA [illegible] office, according to the [illegible] Frank Church said. He said the CIA had obtained [illegible] of the Justice Department that law violations by CIA personnel would be handled only by the CIA. One result is that there is no record of prosecution of any CIA agent for any crime that would bring government sleuths down quickly on any private citizen. Hitler's SS men had the same kind of privilege. The KGB has it in Russia today.

Going on for 20 Years

That such things can happen here is mute testimony to an even more pernicious situation. What the Rockefeller report talks about without ever using the words is an atmosphere of encouragement and tolerance that has existed at the highest levels of government for 20 years. Presidents Eisenhower, Kennedy, Johnson and Nixon wanted to find out things but were afraid to do so openly. So they went to the CIA, rightly or wrongly cloaking their interests with a national security label.

That apparently was easy to do, because the leaders of Congress, except for an interest in the budget figures, rarely demanded a CIA accounting. Most of the supposed CIA overseers on Capitol Hill took the position that "if it's a secret, we don't want to know about it." Whenever a congressman, a reporter or a private citizen would raise a question about some intelligence activity, the CIA or the White House would turn it aside with the line that "since it's secret, we can't talk."

Small wonder that CIA officials got the notion that they were a law unto themselves, that anything goes — so long as it could be excused on grounds of national security. Our Presidents and lawmakers let that happen, even encouraged it. By our laxity, we let them get away with it. We do not need to wait for the more detailed analyses of the House and Senate committees on the CIA to tell us one thing: We have been "good Germans" too long.

He'd Restore Thorpe Wins

Washington, June 15 (UPI) — Sen. James Abourezk (D-S.D.), chairman of the Senate Indian affairs subcommittee, said today that he would join in seeking restoration of the Itympic records of the famed Indian athlete Jim Thorpe. Abouresk said that stripping Thorpe of pentathlon and decathlon Olympic gold medals won in the 1912 games was "one of the most blatant injustices perpetrated against an individual Indian that I know of." Thorpe, who died in 1953, was deprived of the medals because he had received expense money for playing baseball during a summer vacation while attending thea Carlisle Indian School in Pennsylvania.

Is Found Dumped Wrapped in Rug

By HARRISON RAINIE

The body of a man who had been stabbed to death was found yesterday dumped in a wooded area near the Century 110 Drive-in theater just off Old Walt Whitman Road in Melville, Suffolk County police reported.

The victim, described as white, between 35 and 55 years old, had been stabbed several times in the chest. He was wrapped inside a blue shag rug that had been thrown about 10 feet off Old Walt Whitman Road.

Police said the body was spotted by passersby at 2:30 p.m. after they saw the rug. When they unfurled it, they found the man, who was dressed in a sport shirt and slacks. He was wearing socks but no shoes.

No Wallet or Jewelry

There was no wallet or jewelry on the man and police last night were checking his fingerprints with the FBI. A check was also being made of a laundry tag found on the man's clothing.

Suffolk County Medical Examiner Sidney B. Weinberg said the body was "slightly decomposed" and that the man had been dead "at least 24 hours."

Weinberg, who examined the body at the scene, said it was "deflated, a dusty pink." He said the rug may have been used in order to conceal the body during that day.

Deep Wounds

Weinberg said the man had been stabbed "several times in the chest" and that the wounds were deep. He said his office would conduct an autopsy today.

At the time the body was dis-

Ask Permits For Mental Case Housing

The housing of discharged psychiatric patients as well as the housing of ordinary boarders in Islip town would require approval of a board of special permits, according to a proposal to be given a public hearing July 1 before the Town Board.

Under the plan, which would require a filing fee of $150, renewable every three years, the board would be composed of commissioners of the town Departments of Planning, Housing and Development, Environmental Conservation, Human Resources and Traffic Safety, and the director of Building and Planning.

Another preliminary requirement, it was explained, is that all property owners within a 200-foot radius of the applicant's property would have to be notified of the intent to house such discharged patients.

Parking Okay Needed

The parking layout at the proposed housing, and the interior facilities of the home would have to be approved by the board before permission was granted.

Declaring that the purpose of the proposal is to help cope with the "numerous complaints we have had about after-care facili-

In Loving Memory of

FRANCIS A. POSTASKI
1914 — 1975

RESURRECTION PRAYER

MOST merciful Father, we commend our departed into your hands We are filled with the sure hope that our departed will rise again on the Last Day with all who have died in Christ. We thank you for all the good things you have given during our departed's earthly life

O Father, in your great mercy, accept our prayer that the Gates of Paradise may be opened for your servant. In our turn, may we to be comforted by the work of faith until we greet Christ in glory and are united with you and our departed.

Through Christ our Lord. Amen

O'Connell Funeral Home
80 Little Plains Road
Southampton, L. I.

CHAPEL 6



O Mary,
conceived
without
sin,
Pray
For Us
who have
recourse
to Thee.

Airtel

9/15/75

To: SAC, Dallas

From: Director, FBI

1 - Mr. Cooke
1 - Mr. Nettles
1 - Mr. Wannall

ASSASSINATION OF PRESIDENT JOHN F. KENNEDY
NOVEMBER 22, 1963,
DALLAS, TEXAS

Re Houston airtel and LHM, 9/2/75, and Dallas teletype, 8/14/75.

In view of James Michael Holland being next door neighbor of Jack Ruby in 1963, Dallas interview Holland regarding this matter. Submit LHM containing predication and results of investigation.

1 - Houston (For information)
1 - Legat, Mexico City (For information)

NOTE: [redacted], U. S. citizen condemned to death for murder in [redacted]) has advised that shortly before assassination he carried $100,000 from Houston to Dallas, Texas, and gave it to Lee Harvey Oswald and a James Holland. He claimed he did this for Ebb Rose, son of owner of [redacted] Trucking of Houston. Ebb Rose has been interviewed. He advised he knew [redacted] but denied [redacted] allegations. Dallas advises that in 1963 a James Michael Holland, who might be identical to James Holland, was interviewed in a civil rights case. At the time, he lived next door to the sister of Jack Ruby. FBIHQ files contain no information linking Holland or Rose to the assassination.

REC-10 62-109060-7248

WEN:amd
(8)

MAILED 7
SEP 15 1975
FBI

ST 109

SEP 16 1975

SEP 3 1975

TELETYPE UNIT

GPO : 1975 O - 569-929

FBI

Date: 9/2/75

Transmit the following in _____ (Type in plaintext or code)

Via AIRTEL _____ (Priority)

TO: DIRECTOR, FBI

FROM: SAC, HOUSTON (62-2115) (RUC)

SUBJECT: ASSASSINATION OF PRESIDENT
JOHN F. KENNEDY
INFORMATION CONCERNING

Re Legat, Mexico City airtel, 8/15/75, and Dallas nitel, 8/13/75.

Enclosed for the Bureau are 11 copies of an LHM reflecting results of interviews with J. E. "EBB" ROSE, President of [redacted] Trucking Company, and MARSHALL RAY MOORE, employee in charge of equipment at the [redacted] Trucking Company. Copies of this LHM are being enclosed for Legat, Mexico City; Dallas; and Los Angeles in view of their interest in this matter.

Based on information furnished by J. E. "EBB" ROSE and MARSHALL RAY MOORE of the J. H. Rose Trucking Company who is acquainted with [redacted] (no relative), it is felt that no additional investigation is warranted in this matter.

ST-10

REC 27 62-109060-7249

ENCLOSURE

(4) - Bureau (Enc. 11)
(1 - Legat, Mexico City)
1 - Dallas (Enc. 1) (Info.)
1 - Los Angeles (Enc. 1) (Info.)
1 - Houston

15 SEP 5 1975

DCS:jam
(7)

1 - DOJ (bcs)
1 - State
1 - Foreign by FCW/Mexico City & PLV
1 - T 9/16/75

10 SEP 29 1975

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

U.S.Government Printing Office: 1972 — 455-874

UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to File No.

Houston, Texas
September 2, 1975

ASSASSINATION OF PRESIDENT
JOHN F. KENNEDY

On August 29, 1975, J. E. "Ebb" Rose, President of [redacted] Trucking Company, [redacted], Houston, Texas, was interviewed and he furnished the following information:

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1249

ENCLOSURE

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 9/2/75

J. E. "EBB" ROSE, President of [redacted] Trucking Company, Houston, Texas, advised that he knew [redacted] as a previous employee of the [redacted] Trucking Company but he does not have any idea what he has been doing for the past several years. He stated that, to the best of his recollection, [redacted] was a truck driver for the company in Houston, Texas, and in Montebello, California. He stated that he has never given [redacted] any large sums of money for any purpose and that he has never given [redacted] $100,000 for any purpose, let alone to have someone killed. He stated that he does not know anyone by the name of "WEBBY." He stated he does not know any attorney by the name of SCOTT. He stated he does not know anyone by the name of JAMES HOLLAND and, although he has obviously heard of LEE HARVEY OSWALD, he did not know him.

ROSE advised he was acquainted with ROY HILLIARD who formerly was employed by [redacted] Trucking Company and who was formerly a highway patrolman. He stated that HILLIARD is currently working in Dallas, Texas, as a security guard. ROSE advised he has never associated socially with [redacted] and has never, to his knowledge, had dinner with him on any occasion. He stated that he does not know why [redacted] terminated his employment with [redacted] Trucking Company but that he would obtain his personnel file and determine if there is any information contained therein which would enlighten the situation. [redacted]

The personnel file furnished by Mr. ROSE indicated that [redacted] was born December 4, 1933. His Social Security number is [redacted] He indicated that he received an honorable discharge from the U.S. Army and served in the Korean conflict. The record indicated that he was in the Army from January 4, 1951 to September 8, 1952 and was discharged as a sergeant. The record further indicated that MOORE was married and his wife's name was [redacted]. The record further indicated that [redacted] was discharged by [redacted] Trucking Company on June 22, 1968 for failing to return to work. He was not eligible for rehire. This termination took place in Montebello, California.

TEXAS
ARMY

Investigated on 8/29/75 at Houston, Texas File # HO 62-2115

by SA [redacted] :jam Date dictated 8/29/75

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Mr. ROSE advised that MARSHALL RAY MOORE, who is a second cousin of Mr. ROSE and who is currently in charge of the equipment for the [redacted] Trucking Company, would know [redacted] from his past employment association and could possibly furnish additional information concerning [redacted]

ASSASSINATION OF PRESIDENT
JOHN F. KENNEDY

Mr. Marshall Ray Moore was interviewed and furnished the following information:

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 9/2/75

MARSHALL RAY MOORE advised that he remembered [redacted] when he was employed by the [redacted] Trucking Company. He stated that he had worked in Houston for the company, as well as in California for their Montebello terminal. He stated that [redacted] was a dark-haired individual to the best of his recollection and was the type of individual who liked to exert his authority on persons under him. MARSHALL MOORE stated that [redacted] had some lesser supervisory job at the Montebello terminal but was not an assistant terminal manager. He stated in his position he exerted undue authority over other people connected with the company and caused considerable trouble among the employees. He stated [redacted] was not a good employee and quit his employment with the company just before he would have been fired. MARSHALL MOORE stated that [redacted] was just not in harmony with other employees. He stated he was aware of a confrontation that he had with two other employees, one of whom was JACK WATKINS who was a driver for the company. He stated that JACK WATKINS and his brother confronted [redacted] on one occasion when [redacted] was in his car because of [redacted] past actions regarding the brothers and during the course of the confrontation, [redacted] sped away in the car dragging JACK WATKINS with him. He stated that WATKINS was quite severely injured as a result of this action by [redacted] He stated this was no attempt by the WATKINS brothers to kill [redacted] for any reason and was merely an attempt by two employees who were fed up with [redacted] overbearing attitude. MOORE stated that JACK WATKINS is still with the [redacted] Trucking Company and is currently in Odessa, Texas.

MARSHALL MOORE stated he did not recall exactly what position [redacted] had while employed with the [redacted] Trucking Company but thought [redacted] was in charge of running the loading dock. MARSHALL MOORE stated that [redacted] disappeared when he terminated his employment at the Montebello terminal and he has not seen or heard of him since. He stated this was in 1968 or 1969.

MARSHALL MOORE stated that it would not be unusual for [redacted] to be familiar with Harry Hines

Interviewed on 8/29/75 at Houston, Texas File # HO 62-2115

By SA [redacted] :jam Date dictated 8/29/75

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Boulevard in Dallas, as the trucks normally took the road past the circle on Harry Hines Boulevard enroute to Oklahoma. He stated there was, in fact, a ship-type restaurant on Harry Hines Boulevard and also there were two motels on the circle, namely the Tower Motel and the Circle Motel. He stated that the terminal in Dallas is across town from the circle and that there normally would be no reason for the truckers to stop at the circle. He stated he believed that this circle was being removed and, perhaps, the ship-type restaurant and the motels are no longer there.

Mr. MOORE stated he does not know anyone by the name of "WEBBY." He does not know any attorney by the name of SCOTT and he does not know anyone by the name of HOLLAND. He stated that he does not know anyone by the name of [redacted]. Mr. MOORE advised he has no information whatsoever regarding any large amount of money given to [redacted] or anyone else to deliver in Dallas for any reason.

UNITED STATES GOVERNMENT

Memorandum

Assoc. Dir. ___
Dep. AD Adm. ___
Dep. AD Inv. ___
Asst. Dir.: ___
Admin. ___
Comp. Syst. ___
Ext. Affairs ___
Files & Com. ___
Gen. Inv. ___
Ident. ___
Inspection ___
Intell. ___
Laboratory ___
Plan. & Eval. ___
Spec. Inv. ___
Training ___
Legal Coun. ___
Telephone Rm. ___
Director Sec'y ___

TO : MR. CALLAHAN DATE: 9/2/75

FROM : J. B. ADAMS

SUBJECT: LEE HARVEY OSWALD MATTER

[redacted] of the "Dallas Times Herald" called this afternoon to advise that SAC Gunderson had contacted him concerning the details of the anonymous calls received by [redacted] which had been previously mentioned to me. I told Mr. [redacted] that Mr. Gunderson was contacting him with my approval and he indicated that he would furnish complete information concerning the calls but wanted me to understand that he was furnishing this information only for the purpose of asking for confirmation as to whether the information is correct before publication. I advised him that his request would be noted, however, as previously stated in Mr. Kelley's statement, no additional comment will be made by the FBI until all inquiries have been completed and the matter considered by the Department. Therefore, I could not tell him when or if we would be able to respond to his inquiry.

Mr. [redacted] also advised that an additional individual, not his original source, had advised reporters on his staff that the note had been left by Oswald with a receptionist named Fenner and that the note contained a threat to blow up the police department or Federal agency. I advised Mr. [redacted] I could make no comment beyond that appearing in Mr. Kelley's statement to the effect that varying accounts have been received as to the contents of the note, however, there was no mention of any threat against Kennedy.

Mr. Bassett was advised of this call.

ACTION:

None. Information only.

1 - Mr. Bassett

JBA:mah
(3)

7249

18 NOV 18 1976

Airtel

9/15/75

To: SAC, Jacksonville

From: Director, FBI

1 - Mr. Gallagher
1 - Mr. O'Connell
1 - Mr. Cooke
1 - Mr. Nettles
1 - Mr. Wannall

ASSASSINATION OF PRESIDENT JOHN F. KENNEDY,
NOVEMBER 22, 1963,
DALLAS TEXAS

Re Jacksonville teletype, 9/10/75.

Bureau files contain no records identifiable with [redacted] or [redacted] based on information furnished. Bureau files contain a [redacted] case in which [redacted] is a subject. Office of origin is Tampa and Jacksonville's file number is 15-2942.

From the description of the documents furnished by [redacted], it would appear that the items in question could be material relating to the Warren Commission investigation of the assassination which is available to the public through the Archives of the United States.

Jacksonville, interview [redacted] to determine her knowledge of this matter and obtain any documents she may have in her possession. Furnish Bureau any additional information obtained regarding Brown.

62-109060-7250

1 - Atlanta (For information)
1 - Dallas (For information)

REC-21

21 SEP 16 1975

WEN:amd
(10)

EX-106

See Note Page 2

MAILED 7
SEP 15 1975
FBI

Assoc. Dir.
Dep. AD Adm.
Dep. AD Inv.
Asst. Dir.
Admin.
Comp. Syst.
Ext. Affairs
Files & Com.
Gen. Inv.
Ident.
Inspection
Intell.
Laboratory
Plan. & Eval.
Spec. Inv.
Training
Legal Coun.
Telephone Rm.
Director Sec'y

MAIL ROOM TELETYPE UNIT

GPO : 1975 O - 569-920

Airtel to SAC, Jacksonville
Re: ASSASSINATION OF PRESIDENT JOHN F. KENNEDY

NOTE: [redacted], who is in jail in Palatka, Florida, on stolen property charge, was interviewed at his request by by FBI Agent on 9/10/75. He told of delivering a file drawer of documents to Atlanta, Georgia, for a [redacted] of Daytona Beach, Florida, approximately two years ago. File drawer contained documents concerning assassination of President Kennedy. [redacted] was under impression documents were stolen and [redacted] told him he intended to sell them to an unidentified attorney in Atlanta. Berner said his wife, [redacted], and his "girl friend," [redacted] saw the documents and [redacted] took one or more as souvenirs. Jacksonville is already making discreet inquiries to identify Brown. Bureau files contain no information identifiable with [redacted] or [redacted] based on information furnished. Bureau files contain 1973 TFIS case in which [redacted] was the subject in a theft of household goods matter.

FBI

Date: 9/8/75

Transmit the following in _____ (Type in plaintext or code)

Via AIRTEL _____ (Priority)

TO: DIRECTOR, FBI (62-109060)

FROM: DALLAS (89-43)

SUBJECT: ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY
NOVEMBER 22, 1963
DALLAS, TEXAS

For information of the Bureau, on 9/2/75, an unidentified caller contacted an Agent of the Dallas Office of the FBI and furnished the following information:

(1) LEE HARVEY OSWALD was going with Mrs. TIPPETT prior to the assassination. Mrs. TIPPETT was allegedly an alcoholic. They had been seen together many times while drinking at an unknown bar and cafe. One of their waitresses at the bar said she had poured hot coffee down OSWALD's throat many times to sober him up so he could go home before Officer TIPPETT was due to get off work and possibly catch his wife and OSWALD together.

SL 114 1 REC-30 62-109060-7251

(2) A woman, name unknown, whose husband was a bouncer or doorman at Ruby's Nightclub in Dallas, said her husband saw TIPPETT, OSWALD and RUBY together at RUBY's club two nights prior to the assassination of President KENNEDY. The woman also said her husband had seen TIPPETT and OSWALD together in RUBY's club more than once before the assassination.

2-Bureau
2-Dallas
JKH:ghf
(4)

Airtel 9/15/75

SEP 19 1975

Approved: _____ Sent _____ M P

Special Agent in Charge

U.S. GOVERNMENT PRINTING OFFICE : 1966 O - 249-999 (18)

(3) After the assassination when Dallas police had surrounded the School Book Depository Building, RUBY allegedly walked out of the building and was met by a policeman. The policeman apparently recognized RUBY and asked, "Jack, what in the hell are you doing here?". He allegedly answered, "My car is parked down the street". RUBY was then allowed to leave by the officer.

(4) Immediately after the assassination JACK RUBY allegedly ran into the Dallas Morning News Building and said, "President Kennedy has been killed". This allegedly happened at least twenty minutes prior to any announcement of the president's death to any news media.

The above-mentioned anonymous telephone caller furnished this information to SA [redacted] and stated she had been contacted by SA [redacted] in the past and would recontact him if she could obtain the name of the waitress mentioned in (1) above, as well as the man and woman mentioned in (2) above. SA [redacted] was unable to identify the unknown caller.

On 9/4/75, the anonymous individual again called the Dallas Office of the FBI and furnished the following information to SA [redacted]

She has been successful in identifying the waitress who furnished the information about the alleged affair between Mrs. TIPPETT and LEE HARVEY OSWALD. She stated the waitress is a Mrs. [redacted], present address unknown. She believed Mrs. [redacted] has moved to the Casa Linda area of North Mesquite, Texas, exact address again unknown.

Efforts by SA [redacted] to identify the caller were again negative.

DL 89-43

It is the opinion of the Dallas Office no attempt should be made to locate and interview Mrs. [redacted] in view of the nebulous nature of the information furnished.

Airtel

9/15/75

SD 114

To: SAC, Dallas

1 - Mr. Cooke
1 - Mr. Nettles
1 - Mr. Wannall

From: Director, FBI

REC-30 67-109060-72

ASSASSINATION OF PRESIDENT JOHN FITZGERALD KENNEDY
NOVEMBER 22, 1963
DALLAS, TEXAS

Re Dallas airtel, 9/8/75.

FBIHQ files contain no information identifiable with Mrs. [redacted]

Dallas locate and interview Mrs. [redacted] Submit LHM.

WEN:amd
(6)

NOTE: Anonymous female caller contacted Dallas Office, 9/8/75 and advised that prior to the assassination Lee Harvey Oswald was going with the wife of Dallas Police Officer, J. D. Tippett and named Mrs. [redacted] as a waitress who had seen them together many times. She also furnished other information regarding association of Tippett, Oswald, and Jack Ruby, but did not know the name of the person who had told it to her. She additionally furnished other information about alleged activities of Ruby. Dallas Office is of opinion no attempt should be made to interview Mrs. [redacted] due to nebulous nature of the information. This communication directs Dallas to interview Mrs. [redacted] to resolve the issue.

Assoc. Dir. ___
Dep. AD Adm. ___
Dep. AD Inv. ___
Asst. Dir. ___
Admin. ___
Comp. Syst. ___
Ext. Affairs ___
Files & Com. ___
Gen. Inv. ___
Ident. ___
Inspection ___
Intell. ___
Laboratory ___
Plan. & Eval. ___
Spec. Inv. ___
Training ___
Legal Coun. ___
Telephone Rm. ___
Director Sec'y ___

MAIL ROOM ☐ TELETYPE UNIT ☐

MAILED 7
SEP 15 1975
FBI

5 CSS REW 30 1975

GPO : 1975 O - 569-920

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Gallagher

DATE: August 25, 1975

FROM : B. H. Cooke

1 - Mr. Gallagher
1 - Mr. Cooke
1 - Mr. Nettles
1 - Mr. Mooney - attn.
1 - Mr. Walsh
1 - Mr. Shoaff - attn.

SUBJECT: ASSASSINATION OF PRESIDENT JOHN F. KENNEDY, NOVEMBER 22, 1963, DALLAS, TEXAS
MISC. - INFO CONCERNING

Captioned case is assigned to the Personal Crimes Unit, Criminal Section, General Investigative Division (GID). Administration of this matter requires practically daily reference to the "Warren Commission Report" and its' accompanying volumes entitled "Hearings Before The President's Commission on the Assassination of President Kennedy."

GID does not have a set of these books. At present, the necessary volume must either be borrowed from the Intelligence Division (INTD) or reviewed in the library in the JEH Building. Neither procedure is desirable as INTD has the Internal Security case regarding Lee Harvey Oswald and uses their books, and the books in the one set in the library must be retained there for use of all divisions.

ACTION:

It is recommended that this memo be referred to the Learning Resources center of the Training Division to determine if a set of these books is available or can be obtained to be maintained by GID in Room 5043 JEH.

WEN:cdm
(7)

REC-9 62-109060-7252

SEP 9 1975

1 set to GID Rm. 5043 JEH

9/2/75 CSS

5 OCT 1 1975

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Gallagher

DATE: 9/3/75

FROM : B. H. Cooke

SUBJECT: ASSASSINATION OF
PRESIDENT JOHN F. KENNEDY
11/22/63
DALLAS, TEXAS

1 - Mr. Callahan
1 - Mr. Adams
1 - Mr. Gallagher
1 - Mr. O'Connell
1 - Mr. Cooke
1 - Mr. Nettles
1 - Mr. Bassett
1 - Mr. Moore
1 - Mr. Wannall

Assoc. Dir. ____
Dep. AD Adm. ____
Dep. AD Inv. ____
Asst. Dir.:
Admin. ____
Comp. Syst. ____
Ext. Affairs ____
Files & Com. ____
Gen. Inv. ____
Ident. ____
Inspection ____
Intell. ____
Laboratory ____
Legal Coun. ____
Plan. & Eval. ____
Spec. Inv. ____
Training ____
Telephone Rm. ____
Director Sec'y ____

Reference is made to B. H. Cooke to Mr. Gallagher memorandum of 9/2/75, concerning an article from the 9/2/75 edition of "The New York Times" which related to a conversation on 11/22/63, between Special Agent (SA) James P. Hosty, Jr., then of the Dallas Office, and Lt. Jack Revill of the Dallas, Texas, Police Department. Information was set forth in that memorandum regarding a misunderstanding between Hosty and Revill as to whether or not Hosty had told Revill shortly after the assassination of President Kennedy that the FBI had prior information that Lee Harvey Oswald was capable of committing the assassination.

The article in "The New York Times" also reported that Dallas Police Chief J. E. Curry included the information from the conversation in a press conference thereafter and, within minutes, he claimed to have been telephonically contacted by SAC Gordon Shanklin who told him that the Bureau was extremely desirous that he retract the statement to the press. Chief Curry is quoted in the article as saying he did retract the statement before the press and told Lt. Revill to keep quiet about the information.

REC-43 62-109060-7253

Bureau files contain a teletype and an airtel from Dallas to the Bureau, both dated 10/6/64, regarding this issue (62-109060-3850 and 62-109060-3845 respectively). Mention is made of several newspaper articles which set forth information from a letter from Curry to J. Lee Rankin of the Warren Commission dated 5/28/64. In the letter Curry states that based on Revill's information, on 11/22/63, he stated before newsmen that the FBI knew of Oswald's presence in Dallas and the Dallas Police had no information in its files regarding Oswald. Curry claims that within a few minutes of his statement to the press, he received a telephone call from SAC Shanklin during which

8 SEP 12 1975

WEN:cjl (10)

CONTINUED - OVER

File 62-109060

5 OCT 7 1975

Shanklin told him the FBI was extremely desirous that the statement be retracted. Curry then went before the press again and retracted his original statement to the extent that he did not, of his personal knowledge, know that the FBI knew of Oswald's presence in Dallas and that if the FBI did know, they were under no obligation to pass such information on to the Dallas Police.

In the teletype and airtel, SAC Shanklin advised that it was called to his attention that Chief Curry had been on national television and had either said or indicated that the FBI knew Oswald was in Dallas and had interviewed him recently and that apparently Curry was trying to place all the blame on the FBI.

SAC Shanklin said that he telephonically contacted Chief Curry on 11/23/63, and pointed out to him that the FBI had not interviewed Oswald in Dallas and that the FBI was under no obligation to furnish him information on all security subjects in the area. SAC Shanklin also told him that the FBI had no indication that Oswald was likely to kill the President and that the FBI was extending him full cooperation.

Chief Curry then told Shanklin that he was repeating information that someone had given him and he could not remember who the person was. He stated the next time he was on TV, he would rectify the error.

SAC Shanklin noted that Chief Curry did go back on TV and said he was only repeating information someone unrecalled had told him. He said the FBI had no obligation to furnish him such information and that the FBI was cooperating with him one hundred percent.

SAC Shanklin stated that from what Curry wrote to Rankin he was claiming that his information was based on Lt. Revill's memorandum, which was never mentioned to Shanklin.

Regarding Chief Curry waiting five months to advise the Warren Commission of the Revill memorandum and its related incidents, in the letter to Rankin, Curry explains that after the appointment of the Commission, he was reasonably sure

-CONTINUED - OVER

that he would appear before that body and decided to present the memorandum personally at the time of his appearance. He stated that when he first read the Revill memorandum, he realized the gravity and seriousness of the information it contained. He said he had instructed Lt. Revill to keep the memorandum confidential.

ACTION: For information.

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA FPMR (41 CFR) 101-11.6

UNITED STATES GOVERNMENT

Memorandum

TO : SAC GUNDERSON DATE: 9/3/75

FROM : NANNIE LEE FENNER

SUBJECT: TELEPHONE CALL

At approximately 2:45 p.m., this date, my telephone rang and I answered it - Mrs. Fenner.

The individual calling stated -"I am a reporter from the TIMES HERALD and ------"

I said nothing, just hung up.

This is for your information.

I did not give him a chance to state his name or the reason for calling.

2)- Dallas
nlf

62-109060-7253X

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

UNITED STATES GOVERNMENT

Memorandum

TO : FILE

DATE: 9/3/75

FROM : Assistant Director HAROLD N. BASSETT

SUBJECT: ASSASSINATION OF PRESIDENT
JOHN F. KENNEDY

On 9/3/75, MRS. NANNIE LEE FENNER personally contacted me at the Dallas Office of the FBI to advise that on the preceding evening, 9/2/75, at 8:50 PM, an individual came to her residence, identifying himself as HUGH AYNESWORTH, from the Dallas Times Herald. MRS. FENNER stated that her husband answered the door and per her instructions, he advised MR. AYNESWORTH that she had no comment to make. AYNESWORTH was accompanied by another individual whose identity was not disclosed but who stated to MRS. FENNER's husband that perhaps she would like to hear what they intended to print in the Dallas Times Herald. According to MRS. FENNER, this too was answered with "no comment". Attached below is a copy of the card which AYNESWORTH left with MR. FENNER.

The foregoing is for record purposes.

5

HUGH AYNESWORTH
Staff Writer
744-6264
DALLAS, TEXAS

THE DALLAS TIMES HERALD
METROPOLITAN DALLAS' NO. 1 NEWSPAPER

REC-87 ST 109

7253*

18 NOV 18 1976

2-File
HNB:nc (2)

1 30 1976

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

UNITED STATES GOVERNMENT

Memorandum

TO : Associate Director
NICHOLAS P. CALLAHAN

DATE: 9/3/75

FROM : Assistant Director HAROLD N. BASSETT

SUBJECT: Assassination of John F. Kennedy
JOSEPH L. SCHOTT
Former Special Agent

As you know during our inquiry in Dallas relating to the assassination of former President JOHN F. KENNEDY, former Special Agent JOSEPH L. SCHOTT, author of the book "No Left Turns", was interviewed. Details of this interview were set forth in appropriate FD-302, in view of SCHOTT's refusal to furnish a sworn statement. During this interview, SCHOTT volunteered that he was aware of the fact that the Bureau had recently sent an airtel to our field offices concerning him and that a friend of SCHOTT's, a newspaperman, called him one day to advise that he, the reporter, had a copy of this airtel in his possession and that he read portions of the airtel to SCHOTT.

SAC GUNDERSON was orally advised of this information.

RECOMMENDATION: For record purposes and for referral to External Affairs Division.

COPY RETAINED IN PERSONNEL RECORDS UNIT

REC. 87 62-108982-7253X
ST 109
13 NOV 18 1976

PERS. REC. UNIT

54 1976

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

FBI

Date: 9/5/75

Transmit the following in _____ (Type in plaintext or code)

Via AIRTEL _____ (Priority)

TO: DIRECTOR, FBI

FROM: SAC, HOUSTON (62-2115) (RUC)

SUBJECT: ASSASSINATION OF PRESIDENT
JOHN F. KENNEDY
INFORMATION CONCERNING

ReHOairtel and LHM, 9/2/75.

Enclosed herewith for the Bureau are 11 copies of amended page 6* of referenced LHM. One copy each of amended page 6* of referenced LHM is enclosed herewith for Dallas and Los Angeles.

(4) - Bureau (Enc. 11) DISCLOSURE
(1 - Legat, Mexico City)
1 - Dallas (Enc. 1)
1 - Los Angeles (Enc. 1)
1 - Houston

62-109060

NOT RECORDED
21 SEP 10 1975

DCS:jam
(7)

Approved: _____ Special Agent in Charge

Sent _____ M Per _____

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Gallagher

FROM : B. H. Cooke

DATE: 9/2/75

SUBJECT: ASSASSINATION OF PRESIDENT JOHN F. KENNEDY; 11/22/63
DALLAS, TEXAS

1 - Mr. Callahan
1 - Mr. Adams
1 - Mr. Gallagher
1 - Mr. Cooke
1 - Mr. Nettles
1 - Mr. Bassett
1 - Mr. Moore
1 - Mr. Wannall

Assoc. Dir. ___
Dep. AD Adm. ___
Dep. AD Inv. ___
Asst. Dir.: ___
Admin. ___
Comp. Syst. ___
Ext. Affairs ___
Files & Com. ___
Gen. Inv. ___
Ident. ___
Inspection ___
Intell. ___
Laboratory ___
Legal Coun. ___
Plan. & Eval. ___
Spec. Inv. ___
Training ___
Telephone Rm. ___
Director Sec'y ___

Attached is a copy of an article which appeared in the 9/2/75 edition of "The New York Times" in which it is alleged that the FBI and the Dallas, Texas, Police Department covered up until the Spring, 1964, a conversation indicating the FBI had known that Lee Harvey Oswald was a threat to President Kennedy. This article is based on an article which appeared in the "Houston Chronicle" on 9/1/75. The article also states that the Warren Commission did not fully check into the alleged conversation.

Basically, the article reports that then Dallas Police Chief J. E. Curry received information from Lieutenant Jack Revill of his Department to the effect that three hours after the assassination, the Lieutenant was told by FBI Special Agent James P. Hosty, Jr., that the FBI knew of Oswald's presence in Dallas and knew that Oswald could be a threat to the President. The Dallas Police Department had no prior knowledge of Oswald.

The article states that Chief Curry included the information in a press release shortly after he received it. Curry says that within a few minutes of his statement to the press, SAC Gordon Shanklin told him that the FBI was extremely desirous that he retract his statement, which he did. He also told Lieutenant Revill to keep silent about the information.

A review of the report of the Warren Commission and its supporting volumes reveal that the Commission considered the conversation between Lieutenant Revill and SA Hosty to a great extent. The Lieutenant's report dated 11/22/63 is Commission Exhibit 709 (Volume XVII, Page 495). In it, he says that SA Hosty met him at approximately 2:50 p.m., on 11/22/63 in the basement of the City Hall. He reported that SA Hosty told him that Oswald was a member of the Communist Party and that he was residing in Dallas. The Lieutenant said in the report that

Enclosure

REC-43 62-109060-7254

WEN:wss (9)

1 ENCLOSURE

62-109060

CONTINUED OVER

5 OCT 17 1975

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

this was the first information he had received from the FBI regarding this. He states that SA Hosty further told him that the FBI was aware of the subject and that they had information that Oswald was capable of committing the assassination of President Kennedy.

Commission Exhibit 711 (Volume XVII, Page 496) is a report of Detective V. J. Brian of the Dallas Police Department dated 4/20/64. Brian was with Revill when he was approached by Hosty. He reported that Hosty stated that Lee Oswald had killed the President and Oswald was a Communist. He also reported that Hosty advised that Oswald was working at the School Book Depository. He also says that SA Hosty said some other things to Lieutenant Revill that he could not hear.

Lieutenant Revill provided extensive testimony to the Commission on 5/13/64, regarding this incident, (Volume V, Pages 33-47). In summary he says SA Hosty told him a Communist had killed the President, that his name was Lee Harvey Oswald, the FBI knew he was in Dallas, and the FBI had information that Oswald was capable of the act. Lieutenant Revill said this information was as best as he could recall, he might have misunderstood SA Hosty, but he did not believe so. He stated he made his report within the hour of receiving the information.

The testimony of Detective Brian is contained on Pages 47-58 of Volume V. He said he only heard SA Hosty say Lee Harvey Oswald had killed the President, was a Communist, and was working at the Book Depository.

SA Hosty's testimony regarding this matter is found in Pages 463-464 of Volume 4. He said the Lieutenant, who was in a very excited state, told him he had a hot lead, that the only employee of the School Book Depository not accounted for was a person named Lee. SA Hosty says he then told Lieutenant Revill Lee Harvey Oswald had been arrested previously, that he was an employee of the Texas School Book Depository, that he had defected to Russia and returned to the U. S. in 1962. SA Hosty stated that he did not say that he was aware Oswald was capable of assassinating the President as he had no such information.

Commission Exhibit 831 (Volume XVII, Pages 778-784) is a 4/27/64 letter from J. Edgar Hoover to the Warren Commission, an article from the 4/24/64 edition of the "Dallas Morning News" newspaper and an affidavit of SA Hosty, all three regarding this incident. The 4/24/64 article contains the same basic information as does the attached 9/2/75 article. Mr. Hoover's letter states

that SA Hosty in his affidavit unequivocally denies ever having made a statement to Lieutenant Revill or anyone else that the FBI knew Oswald was capable of assassinating the President or that Oswald possessed any potential for violence. He points out that prior to the assassination he never had any information indicating potential violence on the part of Lee Harvey Oswald.

The Warren Commission considered this incident on Pages 441 and 442 of its report. It says the two men disagree about the conversation which took place between them. They agree that Hosty told Revill that the FBI knew about Oswald, in particular, his presence in Dallas and his employment at the Texas School Book Depository. The two disagree as to whether or not SA Hosty told Lieutenant Revill that Oswald was capable of violence. The only witness to the exchange was Detective Brian and he did not hear SA Hosty make any statement concerning Oswald's capacity to be an assassin, but he did not hear the entire conversation.

The report states that the FBI believed that there was no data in its files which gave warning that Oswald was a source of danger to President Kennedy, nor as far as was known to the FBI at the time, was there information he had shown any potential for violence. The report then leads into the criteria for referral of information to the U. S. Secret Service and other interested agencies and suggests that broader referrals be made.

ACTION:

General Investigative Division, upon receipt of the Houston article, will completely review it and will continue a review of Bureau files pertinent to this issue.

THE NEW YORK TIMES, TUESDAY, SEPTEMBER 2, 1975

Dallas Ex-Police Chief Alleges An F.B.I. Cover-up on Oswald

HOUSTON, Sept. 1 (UPI)—The Federal Bureau of Investigation and the Dallas police covered up until spring, 1964, a conversation indicating that the bureau had known that Lee Harvey Oswald was a threat to President Kennedy, The Houston Chronicle reported today.

The newspaper also reported that the Warren Commission, which investigated the assassination of the President on Nov. 22, 1963, did not fully check into the alleged conversation when the commission learned of it in May, 1964.

J.E. Curry, the Dallas Police Chief at the time, informed Chief Justice of the (U.S.) Earl Warren of the F.B.I.'s reported prior knowledge in a registered letter, The Chronicle said, and the newspaper printed a copy in today's edition.

Chief Curry wrote:

"On that date [Nov. 22], before newsmen, I stated that I had received information that the F.B.I. knew of Oswald's presence in Dallas and that the Dallas Police Department had no information on Oswald in its files. This statement was based on the report of Lieutenant [Jack] Revill."

In Writing for Curry

Three hours after President Kennedy was killed, Lieut. Revill said he encountered an agent, James Hosty in the basement of the Dallas City Hall. Mr. Hosty told him the bureau had known that Oswald could be a threat to the President, Mr. Revill said in a statement. He eventually repeated his assertion to the Warren Commission, which was headed by Chief Justice Warren.

After being reached by the Chronicle, Lieutenant Revill reportedly stood by his statement. "It [the meeting] happened," he said. "I know it happened, and Hosty knows it happened."

Lieutenant Revill said he had returned to thepolice department and had written down Mr. Hosty's remark, for Chief Curry, who then told newsmen that the bureau had known of Oswald's presence in Dallas.

In the registered letter to Chief Justiced Warren, which Curry wrote:

"Within a few minutes of my statement to the press, I received a telephone call from Mr. Gordon Shanklin, special agent in charge of the Dallas office of the F.B.I., in which Mr. Shanklin stated that the bureau was extremely desirous that I retract my statement to the press. I then appeared before the press again and retracted my statement. . . ."

Chief Curry also told Lieutenant Revill to keep silent about the information, according to the police chief's letter to the hCief Justice.

Chief Curry reportedly told The Chronicle: "There's no doubt in my mind that his agent told my agent [Lieutenant Revill] what he did."

If the bureau had told him about Oswald, Chief Curry said, "I'd have had somebody sitting on him." He is said to have added that he would now have acted differently.

"I probably would have [revealed Lieutenant Revill's whole statement] even though I'd know it would make the F.B.I. mad because I had confidence in my lieutenant that gave me the information and it was checked out and found to be true," The Chronicle quoted him as saying.

Mr. Hosty now is an F.B.I. agent in Kansas City.

COOL, GREEN, CAMP, KIDS.
AID THE FRESH AIR FUND

62-109060-1251

ENCLOSURE

FBI
COMMUNICATIONS SECTION

NR 004 JK PLAIN

7:35 PM NITEL 9/10/75 HER

TO DIRECTOR (62-109060)

DALLAS

ATLANTA

FROM JACKSONVILLE (89-10) P

TELETYPE

REC 54

ASSASSINATION OF PRESIDENT JOHN F. KENNEDY, NOVEMBER 22, 19[illegible]

DALLAS, TEXAS.

[redacted], INVESTIGATOR, PUTNAM COUNTY SHERIFF'S OFFICE, PALATKA, FLA., ADVISED SA [redacted] ON SEPTEMBER 10, 1975, THAT INMATE [redacted], WHO IS SERVING FIVE YEAR SENTENCE AT PUTNAM COUNTY JAIL, PALATKA, FOR BUYING, SELLING AND RECEIVING STOLEN PROPERTY, DESIRED TO TALK TO FBI AGENT REGARDING CAPTIONED MATTER.

BERNER INTERVIEWED SEPTEMBER 10, 1975, BY SA [redacted] AND ADVISED APPROXIMATELY TWO YEARS AGO HE WAS APPROACHED BY [redacted], A RESIDENT OF DAYTONA BEACH, FLA., WITH WHOM HE HAD PREVIOUS "BUSINESS" DEALINGS, AND [redacted] REQUESTED [redacted] TO DELIVER A FILE DRAWER FULL OF DOCUMENTS TO ATLANTA, GA. [redacted] STATED HE ([redacted] OWNED HIS OWN TRACTOR AND

EX-106

REC-54 62-109060-7255

END PAGE ONE

SEP 16 1975

Airtel to Sac Jacksonville
9/12/75
WCW: mcd

6-VKH

27 OCT 9 1975

TRAILER AND WAS IN TRUCKING BUSINESS. [redacted] SAID HE EXAMINED CONTENTS OF FILE DRAWER AND THEY CONTAINED DOCUMENTS CONCERNING ASSASSINATION OF JOHN F. KENNEDY, INCLUDING PHOTOS OF RUBY, OSWALD, KENNEDY, REPORT OF BALLISTIC TESTS, TELEGRAMS SENT BY RUBY AND OSWALD, AND NUMEROUS OTHER DOCUMENTS. HE SAID HE WAS UNDER IMPRESSION DOCUMENTS MAY HAVE BEEN STOLEN AND [redacted] TOLD HIM HE INTENDED TO SELL THEM TO AN UNIDENTIFIED ATTORNEY IN ATLANTA. [redacted] DELIVERED DOCUMENTS TO ATLANTA FROM DAYTONA, WHERE HE WAS MET BY [redacted] AT EIGHT-DAYS INN NEAR THE FARMER'S MARKET, AND HE TRANSFERRED FILE DRAWER FROM TRUCK TO VEHICLE WHICH HE COULD NOT IDENTIFY DRIVEN BY [redacted] STATED HE BELIEVED [redacted] FLEW FROM DAYTONA TO ATLANTA TO MEET HIM. [redacted] STATED HIS WIFE, [redacted], NEE [redacted], CURRENLY RESIDING AT CROWS BLUFF MARINA, HIGHWAY 44, DELAND, FLA., SAW AND EXAMINED THE DOCUMENTS. HE STATED HIS "GIRL FRIEND" [redacted], SAW DOCUMENTS AND TOOK ONE AND POSSIBLY MORE DOCUMENTS FROM THE FILE DRAWER AS "SOUVENIRS". [redacted] MARRIED TO [redacted], PORT ORANGE, FLA. AND LISTED IN TELEPHONE DIRECTORY. [redacted] REQUESTED [redacted] BE INTERVIEWED OUT OF PRESENCE OF HUSBAND AS HUSBAND NOT AWARE OF HIS RELATIONSHIP WITH [redacted] HE SAID [redacted] CURRENTLY

-END PAGE TWO

RESIDING IN DAYTONA ON BEACH SIDE AND GAVE DIRECTIONS AS CROSSING ORANGE AVENUE BRIDGE GOING EAST, TURN SOUTH ON PENINSULA AVENUE AND GO FOUR OR FIVE BLOCKS, TURN [redacted] AND HOUSE IS [redacted] OR [redacted] HOUSE, [redacted] STORY [redacted] IN FRONT, LARGE [redacted] ON EAST SIDE OF HOUSE. [redacted] DESCRIBED AS WM, 40-42 YEARS OF AGE, 6' TALL, 210 LBS., DARK WAVY HAIR, DRIVES 1972 OR 1973 EL DORADO. [redacted] SAID HE BELIEVED [redacted] HAD SERVED TIME AT EGLIN AIR FORCE BASE IN FLA., OFFENSE UNKNOWN, AND WAS "IN TROUBLE" WITH IRS. [redacted] DESCRIBED AS WM, BORN DEC. 18, 1942, AT MARION COUNTY, OHIO, 70 INCHES TALL, 200 LBS., BLACK HAIR, BLUE EYES, NO PREVIOUS ARRESTES KNOWN.

JACKSONVILLE AT DAYTONA BEACH, ATTEMPT THROUGH DISCREET INQUIRES TO IDENTIFY RICHAR BROWN AND CONDUCT NO FURTHER INVESTIGATION PENDING FURTHER INSTRUCTIONS FROM THE BUREAU.

INFORMATION COPY TO ATLANTA AS FUTURE INVESTIGATION MAY BE BE REQUESTED.

END

UNITED STATES GOVERNMENT

Memorandum

TO: Mr. Gallagher

DATE: 9/12/75

FROM: B. H. Cooke

1 - Mr. Callahan
1 - Mr. Adams
1 - Mr. Gallagher
1 - Mr. O'Connell
1 - Mr. Cooke
1 - Mr. Nettles
1 - Mr. Bassett

SUBJECT: ASSASSINATION OF
PRESIDENT JOHN F. KENNEDY
11/22/63
DALLAS, TEXAS

Reference is made to B. H. Cooke to Mr. Gallagher memorandum of 9/5/75 (attached), which relates to Dallas, Texas, Police Department motorcycle officers who escorted the Presidential car in Dallas on 11/22/63, not being interviewed by the FBI regarding the assassination.

By teletype of 9/8/75 (attached), the Dallas Office advises that one of the officers, James M. Chaney, was interviewed on 9/8/75. He advised that he and officer D. L. Jackson were assigned to ride at the right rear of the President's car and officers B. J. Martin and Bobby Hargis were assigned to the left rear. Eight motorcycle officers were assigned to lead the motorcade in front of the car of the Chief of Police. Six motorcycle officers were following the President's car.

Chaney stated that as the President's car passed the Texas School Book Depository (TSBD), he was four to six feet from the President's right shoulder. He heard three evenly spaced noises coming seconds apart, which at first he thought to be a motorcycle backfire. Upon hearing the second noise, he was sure it was not a motorcycle backfire. When he heard the third noise he saw the President's head "explode" and realized the noises were gunshots. He said that the shots did not come from his immediate vicinity and he is positive all the shots came from behind him.

Prior to the shooting, as the motorcade was approaching the TSBD, he noticed nothing suspicious in relation to the building. Chaney said when the first noise was heard, he wondered about the location of the noise, but is sure it did not come from the front of the motorcade.

7256

EX-110 REC-3

Enclosures

WEN:cjl (8)

CONTINUED - OVER

0 OCT 8 1975

Chaney stated this was the first time he had ever been interviewed officially by anyone regarding the assassination. He advised that officer Jackson has never been interviewed, but has retained notes he made following the assassination regarding his observations.

A review of Dallas and FBIHQ indices and files reveals that of the 18 motorcycle officers mentioned by Chaney as being in the motorcade, only officer Baker has been previously interviewed by the FBI. Baker was interviewed by Bureau Agents at Dallas following the assassination, mainly because he saw Oswald in the TSBD immediately following the shooting.

A review of the Warren Commission volumes reveals that of the 18 motorcycle officers only B. J. Martin, Bobby W. Hargis, E. D. Brewer, Clyde A. Haygood, and M. L. Baker were interviewed by the Commission.

It is noted from the Warren Commission testimony of the five motorcycle officers above that they were pretty much preoccupied at the time of the shooting with maintaining balance on their motorcycles at the slow speed of the motorcade and looking ahead to avoid hitting anything. The Dallas Office interviewed numerous people who were in the immediate vicinity on foot and had a better view of the area.

When the assassination occurred, Director Hoover immediately ordered the Dallas Office to assist the U.S. Secret Service and local authorities in their investigation. It should be remembered that at the time there were no Federal laws relating to assaults against the President. President Johnson ordered that the FBI put all available means into the investigation and submit a full report to the Attorney General. Thereafter, specific instructions were issued from FBIHQ regarding certain aspects of the investigation, but none have been located relating directly to interviews of assassination witnesses.

Assistant Director Gallagher on 9/12/75, telephonically contacted retired FBI Inspector James R. Malley, who was sent to Dallas on this case on 11/24/63. Malley advised that he came into the office on that day and was told to go to Dallas. C. A. Evans had been in touch with Director Hoover and the Director wanted to know when Malley would arrive in Dallas. Malley went home, packed, departed Washington about 5:30 p.m., and arrived in Dallas about 8:00 p.m.

 CONTINUED -OVER

Shortly thereafter he received a telephone call from Mr. Belmont, who issued instructions to him to conduct a thorough investigation. He was told to be on the alert for any possible Federal violations and to interview anyone who had knowledge of any aspect of the assassination.

Malley said that, generally, only those persons the FBI knew had information, or who were brought to our attention as having information, were interviewed. Regarding the motorcycle officers, he speculated that they never came to our attention as being persons who could furnish pertinent information. He feels that if they had pertinent information, they should have come forward.

Malley later served as liaison between the Warren Commission and the FBI. He said the Commission did request certain interviews of witnesses who had not previously been interviewed, but did indicate to him that this point had been covered thoroughly in the initial phases of the investigation.

Assistant Director Gallagher has been advised by Dallas SAC Theodore Gunderson that Gunderson has asked former Dallas SAC Gordon Shanklin about this matter. Shanklin told him that he talked to Director Hoover several times immediately following the assassination. Director Hoover inquired about FBI jurisdiction and Shanklin told him there was none. Shanklin said he felt the Director already knew this. Later, President Johnson issued a directive for the FBI to investigate. There were no restrictions placed on the investigation. Shanklin pointed out that the U.S. Secret Service and the Dallas Police were investigating this case at the same time.

There is attached an 11/25/63 memorandum from C. A. Evans to Mr. Belmont regarding an 11/25/63 memorandum from Deputy Attorney General Katzenback to Bill Moyers, Principal Assistant to President Johnson which is also attached. This material relates to the scope of the report to be prepared regarding the FBI investigation of the assassination.

Dallas recommends that officer Jackson be interviewed in view of his pertinent location in the motorcade, in view of the fact he has never been interviewed, and in view of the fact that he has retained his notes regarding his observations during the assassination.

CONTINUED - OVER

Memorandum to Mr. Gallagher
Re: ASSASSINATION OF PRESIDENT
JOHN F. KENNEDY

General Investigative Division concurs with the Dallas recommendation. This should not be considered as a reopening of the investigation, but can be done in the interest of thoroughness in view of the information regarding him retaining his notes just coming to our attention. Interviews of other officers are not recommended at this time since of the officers nearest the President's car, Martin and Hargis were interviewed by the Warren Commission and Chaney by the FBI. Several of the other officers were interviewed by the Warren Commission. None of these interviews have cast any doubts on the conclusions of the Warren Commission. Officer Jackson is still with the Dallas Police Department.

ACTION: If approved, it is recommended the attached teletype be sent to the Dallas Office.

Transmit attached by Facsimile - PLAINTEXT

SEP 0 1975

Priority URGENT

TELETYPE

To: DIRECTOR, FBI
ATTENTION: Deputy Associate Director
JAMES B. ADAMS

Date 9/4/75

From: Assistant Director HAROLD N. BASSETT

Time Transmitted

Subject: ASSASSINATION OF JOHN FITZGERALD KENNEDY, DALLAS, TEXAS, 11/22/63

Initials

☐ Fingerprint Photo ☐ Fingerprint Record ☐ Map ☐ Newspaper clipping ☐ Photograph

☐ Artist Conception ☒ Other Memo to SAC, Dallas, dated 9/4/75.

Special handling instructions:

Deliver to Deputy Associate Director JAMES B. ADAMS by 8:00 AM, 9/5/75.

Approved:

5 SEP 10 1975

CARBON COPY DO NOT FILE

ENCLOSURE

62-116060-7257

SAC, DALLAS (89-43)

9/4/75

SA [redacted]

ATTN: DEPUTY ASSOCIATE DIRECTOR JAMES B. ADAMS

ASSASSINATION OF JOHN FITZGERALD KENNEDY, DALLAS, TEXAS, 11/22/63

OO: DALLAS

At approximately 4:30 p.m., on 9/3/75, SA [redacted] was standing at the corner of Harwood and Commerce Streets, Dallas, en route to the Dallas Office from the Dallas Police Department, while standing at the corner, LT. JACK REVILL, ZACT Squad, Dallas PD, walked up and engaged SA BROWN in conversation. LT. REVILL expressed sympathy for Special Agent JIM HUGHES and his present publicity in the press concerning the assassination of President KENNEDY. In the conversation, REVILL made reference to the fact he has been contacted by several newsmen and REVILL stated he has refused to cooperate in furnishing them any information regarding the assassination. REVILL also made reference to the fact he was recently contacted by former Chief of Police JESS CURRY, Dallas PD, at which time Former Chief CURRY told REVILL he (CURRY) still has the impression that two men were involved in the shooting of President KENNEDY. REVILL said he asked CURRY on what basis he formed this opinion, and CURRY made reference to a statement made by one of the motorcycle officers at the scene of the assassination who said he was ridden through a spray of blood at the time the shots were fired.

LT. REVILL advised SA [redacted] that a few minutes before meeting SA [redacted] on the corner, he had interrogated Dallas Police Officer JIM CHANEY about the shots on the day of the assassination. REVILL stated CHANEY was one of the motorcycle officers assigned to the motorcade on the day of the assassination. In referring to the assassination, REVILL said he asked CHANEY what information he had furnished to investigating officers following the assassination. CHANEY told REVILL that he had never been interviewed by anyone following the assassination to obtain his observations as a witness.

4 - Dallas
CTR/hvm
(4)

62-109060-9251

DL 89-43

Dallas indices and references from Dallas indices regarding the assassination fail to indicate that CHANEY was interviewed by Agents of this Bureau following the assassination.

"A check of the index to the "Hearings Before the President's Commission on the Assassination of President Kennedy," indicates JAMES A. CHANEY, motorcycle officer, Dallas PD, is referred to in Volume II, pages 43-45, Volume III, page 266, Volume IV, page 161, Volume VI, page 294, and Volume XII, page 28. A check of these references fails to indicate CHANEY testified before the President's Commission. The reference in Volume III, page 266, reflects that in the testimony of motorcycle officer HARRICK L. BAKER, he testified before the Commission that Officer JIM CHANEY at the time the shots were fired was "on the right rear of the car or to the side."

The above is being furnished for your information.

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Gallagher

FROM : B. H. Cooke

DATE: 9/5/75

SUBJECT: ASSASSINATION OF PRESIDENT JOHN F. KENNEDY, 11/22/63, DALLAS, TEXAS

1 - Mr. Callahan
1 - Mr. Adams
1 - Mr. Gallagher
1 - Mr. O'Connell
1 - Mr. Cooke
1 - Mr. Nettles
1 - Mr. Bassett

Assoc. Dir. ____
Dep. AD Adm. ____
Dep. AD Inv. ____
Asst. Dir.:
Admin. ____
Comp. Syst. ____
Ext. Affairs ____
Files & Com. ____
Gen. Inv. ____
Ident. ____
Inspection ____
Intell. ____
Laboratory ____
Legal Coun. ____
Plan. & Eval. ____
Spec. Inv. ____
Training ____
Telephone Rm. ____
Director Sec'y ____

Attached is a copy of 9/4/75 memorandum of SA [redacted] to SAC, Dallas, which was transmitted to FBIHQ by facsimile on the same date. In part this memorandum states that on 9/3/75, Lt. Jack Revill of the Dallas, Texas, Police Department told SA Brown that he had recently been contacted by former Dallas Police Chief Jess Curry who told him he still has the impression that two men were involved in the shooting of President Kennedy. When Revill asked him on what basis he formed this opinion, Curry made reference to a statement made by one of the motorcycle officers at the scene of the assassination who said he had ridden through a spray of blood at the time the shots were fired.

Lt. Revill said that just before meeting SA [redacted] he had interrogated Dallas Police Officer Jim Chaney, who was one of the motorcycle officers assigned to the motorcade on the day of the assassination. When Revill asked Chaney what information he had furnished to investigating officers following the assassination, Chaney said he had never been interviewed by anyone to obtain his observations as a witness.

Dallas files fail to indicate that Chaney was interviewed by the FBI regarding the assassination.

A review of FBIHQ files does not reveal any interview of Chaney. A review of the Warren Commission Report and its supporting volumes does not reveal any interview of Chaney by the Commission.

REC-3 1-2 1090[illegible]-7257

In his testimony before the Warren Commission, Attorney Mark Lane quoted an article from the 11/24/63 "Houston Chronicle" as stating Chaney said he was six feet to the right and front of the President's car. He said the first shot sounded like a backfire and the President's car stopped briefly after that shot.

Enclosure

SEP 10 1975

CONTINUED - OVER

WBN/brb (8)

Memorandum to M.. Gallagher
RE: ASSASSINATION OF PRESIDENT
JOHN F. KENNEDY, 11/22/63

In the Warren Commission testimony of Dallas Police Motorcycle Officer Marrion L. Baker, Baker, who was in the motorcade, said Chaney was at the right rear of the President's car or to the side. He said Chaney told him two shots hit Kennedy and then the other one hit Governor Connelly. He also stated Chaney told him the shots came from in back of him.

General Investigative Division has been unable to determine if Baker was interviewed by the FBI as the reference to the pertinent volume of 105-82555 (containing Serial 4982) has not been located as of yet by the filing unit.

Dallas Police Motorcycle Office Bobby W. Hargis, who was in the motorcade on the left side of the President's car, testified before the Commission that when President Kennedy was hit his head exploded and Hargis was splattered with blood and brains and "kind of bloody water."

There is no indication in FBIHQ files that he was interviewed by the FBI.

B. J. Martin, Dallas Police Motorcycle Officer, testified before the Warren Commission that at the time of the shooting he was to the left rear of the President's car. Afterwards he noticed blood stains on his helmet and uniform and on the windshield of his motorcycle. He also found matter on his helmet which looked like human flesh.

FBIHQ indices contain no references to B. J. Martin.

ACTION: For information.

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Farrington

DATE: 9/5/75

FROM : [redacted]

SUBJECT: [redacted] REPORTER, DALLAS TIMES HERALD, DALLAS, TEXAS, INFORMATION CONCERNING.

Assoc. Dir. ___
Dep. AD Adm. ___
Dep. AD Inv. ___
Asst. Dir.:
Admin. ___
Comp. Syst. ___
Ext. Affairs ___
Files & Com. ___
Gen. Inv. ___
Ident. ___
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Legal Coun. ___
Plan. & Eval. ___
Spec. Inv. ___
Training ___
Telephone Rm. ___
Director Sec'y ___

On 9/5/75, at approximately 12:30 p.m. [redacted], investigative reporter, Dallas Times Herald, telephonically contacted the writer. [redacted] who is known to the writer from past criminal investigations while assigned to the Dallas Division desired information as to the identity of FBI personnel who were involved in the investigation of the John F. Kennedy assassination in Dallas in 1963. [redacted] was told the writer was totally unfamiliar with the situation in Dallas and no comment would be made. With this the conversation was terminated.

ACTION:

None. For information.

1 - Mr. Farrington
1 - Mr. [redacted]

[redacted]:car (4)

REC-87 62-102[redacted]-7257

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18 NOV 18 1976

UNITED STATES GOVERNMENT

Memorandum

1 - Mr. Bassett

TO : MR. CALLAHAN

DATE: 9/8/75

FROM : J. B. ADAMS

SUBJECT: LEE HARVEY OSWALD MATTER

Assoc. Dir. ___
Dep. AD Adm. ___
Dep. AD Inv. ___
Asst. Dir.: ___
Admin. ___
Comp. Syst. ___
Ext. Affairs ___
Files & Com. ___
Gen. Inv. ___
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Laboratory ___
Plan. & Eval. ___
Spec. Inv. ___
Training ___
Legal Coun. ___
Telephone Rm. ___
Director Sec'y ___

On 9/3/75 I received a telephone call from former Assistant to the Director John P. Mohr who wanted to report that he had been contacted by Time reporter [redacted] who had advised him that a source had reported that Special Agent Hosty had destroyed the Oswald note upon instructions of Mr. Mohr. Mr. Mohr stated that he advised [redacted] that such an allegation was absolutely ridiculous and he had no idea whatsoever as to the basis for any such statement. Mr. Mohr also advised me that he had no information as to why anyone would make such a false statement about him and wanted the Bureau to be aware of this call.

On 9/4/75 Mr. [redacted] contacted me in the absence of Mr. Callahan and asked where Mr. Callahan, Mr. Walsh and I were assigned during 1963. I advised him that to the best of my recollection Mr. Callahan was the Assistant Director of the Administrative Division, Mr. Walsh was his Number One Man and I know at the time I was Assistant Personnel Officer. I asked him the basis for his inquiry and he informed me that it was in connection with the Oswald matter in Dallas and that he had received information from a source that Hosty was supposed to have destroyed the Oswald note upon instructions of Mr. Mohr. Further that Mr. Callahan, Mr. Walsh and Mr. Adams were all in the Administrative Division at the time and if such had happened they would probably know about it. I told Mr. [redacted] that insofar as the Bureau's inquiries concerning the Oswald matter are concerned, we have stated that there would be no further comment beyond Mr. Kelley's statement for the public record until all inquiries have been completed and the Department has considered the matter. Off the record, however, I felt that he should be aware that I categorically deny any knowledge whatsoever of any activity on the part of Hosty or Mr. Mohr and that it would appear to me that this is a malicious statement being made by some individual trying to use him for reasons unknown. He readily admitted that he had serious questions concerning the authenticity of the information as

JBA:mah
(3)

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PERS. REC. UNIT

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a number of people are enemies of Mr. Mohr for various reasons, nonetheless he felt he had to check with me in view of the nature of the allegation.

ACTION:

None. Information only.

UNITED STATES GOVERNMENT

Memorandum

Assoc. Dir. ____
Dep. AD Adm. ____
Dep. AD Inv. ____
Asst. Dirs:
Admin. ____
Comp. Syst. ____
Ext. Affairs ____
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Plan. & Eval. ____
Spec. Inv. ____
Training ____
Telephone Rm. ____
Director Sec'y ____

TO : Miss McCord

DATE: 9/3/75

FROM : A. C. Frank

SUBJECT: Call from Mr. Tom Johnson

September 3, 1975 - 9:00 pm

A call was received during the evening for the Director from Mr. Tom Johnson, Publisher, Dallas Times Herald. Mr. Johnson was advised that the Director's Office was closed. He requested that his call be returned to either one of the following numbers: work - Area Code 214 744-6620 or home - Area Code 214 692-1680 at the Director's convenience.

On 9/6/75 Mr. Johnson was called by me after Asst to Dir. Adams advised me Mr. Johnson wanted to talk with me. Mr. J. ... was very cordial and read me excerpts from 2 articles to appear 9-7-75. I told him the information cited seemed to substantiate my recollection of the facts but asked that I not be quoted - He agreed not to do so.

ENCLOSURE

62-116395-4257x2

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

5010-106

UNITED STATES GOVERNMENT

Memorandum

TO : MR. CALLAHAN

DATE: 9/8/75

FROM : J. B. ADAMS

SUBJECT: LEE HARVEY OSWALD MATTER

Assoc. Dir. ____
Dep. AD Adm. ____
Dep. AD Inv. ____
Asst. Dir.: ____
Admin. ____
Comp. Syst. ____
Ext. Affairs ____
Files & Com. ____
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Spec. Inv. ____
Training ____
Legal Coun. ____
Telephone Rm. ____
Director Sec'y ____

On 9/4/75 I returned a call to Mr. Tom Johnson of the "Dallas Times Herald" in response to his attempt to contact Mr. Kelley at 9 p.m. on 9/3/75. Mr. Johnson advised that he was calling because of information which had been developed by the "Dallas Times Herald" to the effect that Nan Fenner was the Dallas employee with whom Oswald had left the note allegedly destroyed following the assassination of President Kennedy. Further that the note apparently contained language to the effect that if Hosty did not leave Mrs. Oswald alone he would blow up the FBI office and Dallas Police Department. Mr. Johnson indicated that he has obtained this information from more than one source, however, the sources do not indicate that they have personal knowledge of the contents of the note but that they have knowledge that Nan Fenner allegedly received such a note. Mr. Johnson inquired if the FBI would have any statement to make concerning that and I advised him that the FBI would have no comment other than what appeared in Mr. Kelley's original statement on this matter until all inquiries have been completed and the matter considered by the Department.

Mr. Bassett was advised of this call.

ACTION:

None. Information only.

1 ENCLOSURE

1 - Mr. Bassett

JBA:mah
(3)

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62-109060

70 NOV 23 1976

NR008 DL CODE

COMMUNICATIONS SEP 08 1975

930 PM NITEL SEPTEMBER 8, 1975 ELC

TELETYPE

TO: DIRECTOR, FBI (62-109060)

FROM: DALLAS (89-43)

ATTN: ASSISTANT DIRECTOR H.N. BASSETT

ASSASSINATION OF PRESIDENT JOHN F. KENNEDY, NOVEMBER 22, 1965, DALLAS, TEXAS

THE FOLLOWING INVESTIGATION CONDUCTED AT IRVING, TEXAS, ON SEPTEMBER 8, 1975, PER INSTRUCTIONS BY BUREAU TO LOCATE RESIDENCE AND EMPLOYMENT OF RUTH HYDE PAINE:

[redacted] WOODLEIGH, ADVISED PAINE, WHEN LEAVING IRVING, TEXAS, IN 1971, INDICATED SHE HAD OBTAINED EMPLOYMENT AS PRINCIPAL OF A QUAKER SCHOOL IN PHILADELPHIA, PENNSYLVANIA AREA.

[redacted] STATED SHE HAD NO FORWARDING ADDRESS FOR PAINE, HOWEVER, HER RESIDENCE WAS SOLD THROUGH EARL PAGE REALTORS, IRVING, WHO MAY HAVE CORRECT ADDRESS.

[redacted], BOOKKEEPER, EARL PAGE REALTORS, ADVISED THAT FIRM'S RECORDS CONTAIN NO LISTING OF FORWARDING ADDRESS FOR RUTH PAINE. [redacted] CONTACTED REPRESENTATIVE, SOUTHWEST LAND AND TITLE COMPANY, IRVING, WHO ADVISED THEIR RECORDS OF PAINE HAVE A FORWARDING ADDRESS OF GREEN STREET FRIEND SCHOOL, 5510 GREEN STREET, PHILADELPHIA, PENNSYLVANIA.

REC-81 62-109060-7257X3

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Admin.
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Plan. & Eval.
Spec. Inv.
Training
Legal Coun.
Telephone Rm.
Director Sec'y

[redacted] WOODLEIGH, ADVISED SHE IS ONLY NEIGHBOR REMAINING IN THE AREA WHO HAD CLOSE CONTACT WITH RUTH PAINE. SHE STATED HER DAUGHTER CORRESPONDED WITH MRS. PAINE'S DAUGHTER AS LATE AS 1972 AND THEIR RESIDENCE AT THAT TIME WAS 222 WINONA STREET, PHILADELPHIA, PENNSYLVANIA.

DALLAS LEAVING LEADS TO CONFIRM PAINE'S RESIDENCE ADDRESS AND EMPLOYMENT TO DISCRETION OF BUREAU. (P)

END.

HOLD

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Adams

DATE: September 9, 1975

FROM : R. J. Gallagher

SUBJECT:

Assoc. Dir. ____
Dep. AD Adm. ____
Dep. AD Inv. ____
Asst. Dirs.
Admin. ____
Comp. Syst. ____
Ext. Affairs ____
Files & Com. ____
Gen. Inv. ____
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Laboratory ____
Plan. & Eval. ____
Spec. Inv. ____
Training ____
Legal Coun. ____
Telephone Rm. ____
Director Sec'y ____

Per request from Mr. Adams, this is to set forth the chain of command concerning the assassination of President John F. Kennedy investigation in 1963.

To the best of my recollection, at the time the assassination occurred, it was not known that there were a file and pending investigation on Lee Harvey Oswald and Mr. Belmont, in the absence of a Federal violation, assigned the investigation to the General Investigative Division.

Of course, it was handled as a special. At the time Al Rosen was Assistant Director, Jim Malley was the Number One Man, and Jim Handley was the Section Chief of the Criminal Section. It is my recollection that Jim Malley, Dick Rogge, and Fletcher Thompson flew down to Dallas the next day and returned a few days later and prepared a preliminary report. I believe Malley stayed down for several days.

Jim Handley assumed control of the investigation and everyone in the Criminal Section worked on the assassination. In the early stages George Scatterday ran the Division and I handled all of the work in the Criminal Section except the assassination and was assisted in the handling of the mail by Gus Fipp, who was loaned from the Special Investigative Division.

It is my recollection that the case was assigned to Dick Rogge. Ken Raupach did not come into the picture until some time later. But the chain of command was Mr. Rosen; Jim Handley, who was in charge of the investigation; and Dick Rogge was the case Agent. Jim Malley became liaison man with the Warren Commission.

I have a recollection that the investigation was broken down into various facets and Joe Gamble handled one and Henry Schutz handled another. Possibly Al Conley would have some recollection.

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ST 109

RJG:lge
(2)

18 NOV 18 1976

70 DEC 1976

UNITED STATES GOVERNMENT

Memorandum

TO : MR. BASSETT

DATE: September 9, 1975

FROM : J. A. CONLEY

SUBJECT: ASSASSINATION OF PRESIDENT JOHN F. KENNEDY
(OSWALD VISIT TO DALLAS OFFICE AND NOTE)

Asst. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.:
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
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Plan. & Eval. _____
Spec. Inv. _____
Training _____
Telephone Rm. _____
Director Sec'y _____

During the course of the special inquiry conducted at Dallas, Texas, the week of 9/1/75, Joseph L. Schott, retired Special Agent of the FBI, was interviewed on 9/3/75. During the course of the interview Schott stated he received information concerning Oswald's visit to the Dallas Office and delivery of a note addressed to SA James P. Hosty from another individual whom he refused to identify in Wichita Falls, Texas, in the early part of 1964 in connection with either grand jury proceeding or a trial.

Based on this information, inquiry was initiated on 9/3/75 through SA William E. Logg, SRA of the Wichita Falls, Texas, RA, and he subsequently advised that as the Deputy District Court Clerk at Wichita Falls was on annual leave he had been in contact with the U. S. Attorney at Fort Worth and requested that office to search their records in an effort to identify the dates of the Federal Grand Jury (FGJ) sittings at Wichita Falls and the identity of cases presented or identity of Agents of the FBI listed as appearing before such FGJ. Subsequently, on the same date, U. S. Attorney Frank D. McCown telephoned me at the Dallas Office and stated based on the request his office received from SA Logg he felt it necessary that he refer the request to the Executive Office for U. S. Attorneys, Washington, D. C., to obtain authority to release such information from his records. Mr. McCown stated such information is not considered public information and in view of Freedom of Information Act considerations he thought it might be necessary to obtain a court order under Rule E. He did advise during this telephone conversation that in 1964 one FGJ met in Wichita Falls on October 7, 8 and 9. Mr. McCown said when he heard back from the Department he would be in further touch with me at the Dallas Office, at which time he would be able to furnish the names of those Agents scheduled to appear before the FGJ at Wichita Falls. Mr. McCown was informed that if the Department had further questions of him concerning this matter that Deputy Attorney General Tyler and Assistant Attorney General Thornburg of the Criminal Division were familiar with the reason for our being in Dallas and had the details concerning same. ST 109

REC-87 7257X5

On the afternoon of 9/4/75 AUSA Alex McGlichey telephonically advised he had received permission from the Department to make the requested information

18 NOV 18 1976

CONTINUED - OVER

JAC:bhg (3)

available to us after which he placed Frances Gardner on the telephone and she furnished the identities of the following Agents of the Dallas Office who had appeared before the FGJ in Wichita Falls in October, 1964:

Joe B. Abernathy	Alfred C. Ellington
James W. Anderton	Robert P. Gemberling
James W. Bookhout	Will Hayden Griffin
Charles T. Brown, Jr.	Joseph J. Hanley
Robert P. Butler	Emory E. Horton
Vincent E. J. Drain	Milton L. Newsom
Raymond C. Eckenrode	Gaston C. Thompson

This information was made available to you and the others working on the special for consideration in conducting interviews of Agent personnel during the course of the inquiry.

RECOMMENDED ACTION

None . . . for information.

UNITED STATES GOVERNMENT

Memorandum

1 - Mr. Cochran
1 - Mr. Stack
1 - Mr. Cunningham

TO : Mr. Cochran

DATE: September 11, 1975

FROM : M. J. Stack, Jr.

SUBJECT: ASSASSINATION OF
ROBERT F. KENNEDY

Asst. Dir.
Admin.
Comp. Syst.
Ext. Affairs
Files & Com.
Gen. Inv.
Ident.
Inspection
Intell.
Laboratory
Plan. & Eval.
Spec. Inv.
Training
Legal Coun.
Telephone Rm.
Director Sec'y

On September 11, 1975, Ms. Brooke Janis, CBS News, New York City, telephonically contacted Special Agent Cortlandt Cunningham regarding the panel of firearms experts in a court ordered examination of the evidence obtained during the captioned assassination. She advised that she had heard from CBS Attorneys that Mr. Cunningham had been nominated to be on the panel.

She was advised that the only information he had was that the Director had authorized a nomination to such a panel and it was not known whether or not he would be appointed. She, further, stated that CBS News was planning for a November four-hour Special on "assassinations" including the captioned assassination.

ACTION: For information only.

1 - Mr. Moore

CC:jak (5)

REC-30 7258

22 SEP 16 1975

5 8 OCT 1975

UNITED STATES GOVERNMENT

Memorandum

Assoc. Dir. ____
Dep. AD Adm. ____
Dep. AD Inv. ____
Asst. Dir.:
Admin. ____
Comp. Syst. ____
Ext. Affairs ____
Files & Com. ____
Gen. Inv. ____
Ident. ____
Inspection ____
Intell. ____
Laboratory ____
Legal Coun. ____
Plan. & Eval. ____
Spec. Inv. ____
Training ____
Telephone Rm. ____
Director Sec'y ____

TO : MR. CALLAHAN

DATE: 9-12-75

FROM : J. B. ADAMS

SUBJECT: LEE HARVEY OSWALD MATTER

On 9-11-75 Sandy Smith, Time magazine, came by to see me and we discussed his article appearing in the 9-15-75 issue of Time magazine. I advised him that the article troubled me because for the first time we have an allegation that any coverup which might have taken place could be an institutional coverup by involvement of FBI superiors in Washington concerning the note. I was troubled because although our inquiries are not completed we have not developed any evidence to this effect at this time, and I seriously question the accuracy of his article. Further, if he did not act in good faith in preparation of the article and cannot back it up such could be construed as being malicious providing a basis for a charge of libel if untrue.

Mr. Smith reacted vigorously to my statements and stated that he had received this information from 4, 5, or 6 separate officials present or former, and he was certain that the information was true. I asked him if all of these sources, if they exist, specifically claimed to have personal knowledge, or had just heard that such might be the case, or had heard Mr. Mohr had ordered the destruction of the note. He replied that only one of his sources claimed to have personal knowledge that Mr. Mohr told the Dallas Agents to destroy it, and the other sources had varying degrees of knowledge concerning it.

Since Mr. Smith would not identify his sources, I asked if he could provide me any leads which we could pursue to resolve this matter and he stated he could not without leading to the identification of his sources. I impressed upon him that his allegation was most material to our inquiries and it was essential this matter be resolved. He said he realized that and that he recognizes he may be forced to produce them through a libel suit or other action and then they could tell their story as they told it to him which would clearly show he acted on information coming from individuals who have provided him reliable information in the past, in fact, information which has been almost 100% accurate in the past.

I asked him how he defined an official and he was somewhat reluctant to pin down a definition as specific definition might lead to identification of his sources, but would say they were above the level of a Special Agent and would

JBA:mfs (3)
1 - Mr. Bassett

SJ 109

18 NOV 18 1976

(OVER)

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

fall somewhere in the range of a Special Agent Supervisor to a top official, either present or former.

I asked Mr. Smith why such individuals would go to him rather than advise the Bureau of their information either in person or anonymously, and he said they furnished the information to him obviously because they did not want to get involved with the Bureau.

I told Mr. Smith that his statement the Bureau deliberately concealed what had happened from the Warren Commission raised serious questions as to Headquarters involvement and he said that some of his sources indicated that even Mr. Hoover knew about this, however, he did not include it in the article because there was a conflict between his sources in this regard and he confined his article to what the sources agreed on.

Mr. Bassett has been advised of this information in order that this matter may be fully explored during his continuing inquiries.

ACTION:

Information only.

9/15/75

MR. CALLAHAN:

RE: ASSASSINATION OF PRESIDENT JOHN F. KENNEDY

With regard to our ongoing inquiry concerning the Oswald visit to Dallas Office and note allegedly left there in 1963, I received a telephone call today from Departmental Attorney Edward Lowenberg (Obstruction of Justice and Perjury Desk, Criminal Division). He stated he was calling because the Criminal Division had sent a note to him asking as to the status of our inquiry and therefore wondered whether we were in a position to tell him how soon a report would be submitted concerning our current investigation. I told Lowenberg that at this time I could not give him any estimate as to when we would have something over to the Department in writing, pointing out that we have conducted a number of interviews of late and also asked him if he had seen the "Time" magazine article (allegation that Mohr ordered the letter destroyed) to which he replied in the affirmative. Lowenberg also stated he did not put much value in this article.

Lowenberg next asked if in any of our continuing interviews any further information had been developed indicating that the former SAC (Shanklin) had been aware of this matter prior to 1975. In this connection Lowenberg stated the people in the Department were primarily interested in this aspect of the inquiry. I told Lowenberg that interviews were still being conducted and I have not seen the results of all the interviews as of this date and accordingly, could not answer his question. I told Lowenberg that at such time as our current interviews are completed we, of course, would prepare a report and furnish it promptly to the Department.

Above furnished for information.

J. A. Conley

1 - Mr. Adams

7258 NOV 18 1976

UNITED STATES GOVERNMENT

Memorandum

TO : MR. BASSETT

DATE: 9/15/75

FROM : J. A. CONLEY

SUBJECT: ASSASSINATION OF THE PRESIDENT John F. Kennedy
(RE OSWALD VISIT TO DALLAS OFFICE
NOVEMBER, 1963)

Assoc. Dir. ____
Dep. AD Adm. ____
Dep. AD Inv. ____
Asst. Dirs.:
Admin. ____
Comp. Syst. ____
Ext. Affairs ____
Files & Com. ____
Gen. Inv. ____
Ident. ____
Inspection ____
Intell. ____
Laboratory ____
Legal Coun. ____
Plan. & Eval. ____
Spec. Inv. ____
Training ____
Telephone Rm. ____
Director Sec'y ____

On late Friday afternoon, 9/12/75, you telephonically contacted former Assistant to the Director William C. Sullivan at his New Hampshire home to make an appointment for his interview concerning the above-captioned matter as referred to in Time Magazine article in the 9/15/75 issue. At the time of this conversation Sullivan indicated he was having house visitors on Monday, Tuesday and Wednesday (9/15, 16, 17/75) but would attempt to work out a time arrangement for his interview. Sullivan was advised that he would be contacted by Inspector E. N. Best on 9/15/75.

At 9:30 AM, 9/15/75, Mr. Sullivan called collect from New Hampshire asking to speak with you and in your absence he informed me that his schedule is most tight, pointing out he had overseas house guests today, Tuesday and Wednesday and on Thursday had to enter the hospital at Hanover, New Hampshire, for at least one or two days. He continued that next Monday, 9/22/75, his attorney from Washington was coming to see him in New Hampshire on the Black Panther case, which he explained as being the Hampton shooting in Chicago, and on the following day he has to furnish a deposition to attorneys concerning this case. Accordingly, Sullivan pointed out that he thought it would be preferable if we would write out our questions and send them to him by registered mail, whereupon he would immediately respond and return the answers to the Bureau. A second alternative he offered was if the subject matter is real urgent, that we teletype the questions to the Boston Office and in turn that office could deliver the questions to him at his residence. He would complete the answers, give them back to the delivering Agent and they could be returned by teletype from Boston to the Bureau.

I informed Sullivan that this did not appear to be a satisfactory solution as far as the Bureau is concerned and it would be more appropriate for us to have an oral interview with him just as soon as we could and, accordingly, he then stated that if Inspector Best could be at his home at 9:30 AM Tuesday morning, 9/16/75, he would arrange to be interviewed. He asked how long I thought the interview would take and I told him my guess would be about one hour. I informed Sullivan that Inspector Best and SAC Richard F. Bates of the Boston Office would be at his residence at 9:30 AM as scheduled and he would not hear further from Inspector Best or me unless there was some change necessitated by developments wherein we could not keep this appointment.

JAC:wmb (2)

ST 109

CONTINUED - OVER

18 NOV 18 1976

Memo for Mr. Bassett
Re: Assassination of the President

Sullivan furnished the following directions to his residence, and that is to proceed out of Boston to Franconia, New Hampshire, and on entering Franconia take a left on Route 117 over the bridge, proceed three miles up the mountain to Sunset Road. He stated that on the corner of 117 and Sunset Road, is a very large white house called "The Homestead," and that at this point turn left on Sunset and proceed about 1/4 of a mile to his residence, which is a large red-colored frame house on the left-hand side. He advised that his name is on the mailbox.

RECOMMENDED ACTION:

None . . . . for information.

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA FPMR (41 CFR) 101-11.6

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI (62-109060) DATE: 9/25/75
ATTENTION: INSPECTOR-DEPUTY ASSISTANT DIRECTOR
J. A. CONLEY - Room 6212 JEH

FROM : SAC, DALLAS (89-43)

SUBJECT: ASSASSINATION OF PRESIDENT JOHN F. KENNEDY
11/22/63
Dallas, Texas

Per your requests of 9/24 and 25/75, enclosed herewith is one machine copy each of the following documents:

(1) 1a Exhibit Envelope (form FD-340) from Dallas file 89-43, 1a exhibit #120 showing receipt of item on 11/23/63, from RUTH PAINE, 2515 West 5th Street, Irving, Texas, by SA JAMES P. HOSTY, the item being described as "handwriting of subject." The envelope contains the notation that the exhibit was sent to the Bureau 1/23/64.

(2) Dallas airtel to the Bureau 1/23/64, captioned "LEE HARVEY OSWALD, Aka," enclosing one handwritten rough draft letter identified by RUTH HYDE PAINE and MARINA OSWALD as the handwriting of LEE HARVEY OSWALD.

(3) FBI Laboratory transmittal form and report dated 1/31/64, referencing Dallas airtel to the Bureau 1/23/64, and reporting the results of examination of Laboratory exhibit #Q449 described as one page handwritten letter beginning "This is to inform" and ending on reverse side "Replaced by another."

(4) 1a Exhibit Envelope (form FD-340) from Dallas file 89-43, recording receipt of serial 1a-113, showing same was received 11/24/73, from MRS. RUTH PAINE, 2515 West 5th, Irving, Texas, by SA B. D. ODUM, the item being described as "Copy of letter written by OSWALD." The envelope also contains the notation "Retd to MRS. PAINE on 4/28/64, BDO."

ST. 113 pgs. 87 1/2 7258X3

(5 & 6) Copies of the fronts of the 1a serial envelopes (form FD-340a) containing 1a exhibits 105 through 132 of Dallas file 89-43. It is noted these 1a serials contain Dallas 1a exhibits 89-43-1a-113 and 120, referred to above.

ENCLOSURE

(3) - Bureau (Enc.6)
2 - Dallas
EEH:hm
(5)

1c let returned Rm 6212

18 NOV 18 1976

70

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

FD-340 (REV. 8-17-62)

File No. 89-43-1A(120)

Date Received 11/23/63

From Keith Payne
(NAME OF CONTRIBUTOR)

2515 W 5-th
(ADDRESS OF CONTRIBUTOR)

Irving Tex
(CITY AND STATE)

By V. F. Hoarty
(NAME OF SPECIAL AGENT)

To Be Returned Yes ☐
No ☑

Description: Handwriting of subject

Sent to Bu 1-23-64 dt

ENCLOSURE 62-109060-2258

1/23/64

AIRTEL AIRMAIL

TO: DIRECTOR, FBI

FROM: SAC, DALLAS (100-10461) (P)

SUBJECT: LEE HARVEY OSWALD, AKA
IS - R - CUBA

Re Dallas tel to Bureau, 1/21/64.

Enclosed for the Bureau is one handwritten rough-draft letter identified by RUTH HYDE PAINE and MARINA OSWALD as the handwriting of LEE HARVEY OSWALD.

3 - Bureau (Enc. 1) (RM) 676163
(2) - Dallas
JPH:jf
(5)

1-23-64

Serialize
Index
File
Search

FBI
LABORATORY

FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D. C.

To: FBI, Dallas (100-10461) Date: January 31, 1964

Re: LEE HARVEY OSWALD, aka
IS - R - CUBA

J. Edgar Hoover

John Edgar Hoover, Director

FBI File No. 105-82555
Lab. No. D-441321 AX

Examination requested by: Dallas

Reference: Airtel 1-23-64

Examination requested: Document

Remarks:

Enclosures (2) (2 Lab report)

SEARCHED ____ INDEXED ____
SERIALIZED ____ FILED ____
FEB 1 1964
FBI — DALLAS

62-109060-

ENCLOSURE

ADMINISTRATIVE PAGE

100-10461-3027

FBI LABORATORY

FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D. C.

To: FBI, Dallas

Re: LEE HARVEY OSWALD, aka
IS - R - CUBA

Date: January 31, 1964
FBI File No. 105-82555
Lab. No. D-441321 AX

Specimens received 1-29-64

Q449 One-page handwritten letter beginning "This is too inform..." and ending on reverse side "...replaced by another."

Result of examination:

It was concluded that Q449 was written by LEE HARVEY OSWALD, K4 and K5 in this case.

Q449 is retained.

62-109060-7258X3
ENCLOSURE 100-10461-3026

FD-340 (REV. 8-17-62)

File No. 89-43-1a113

Date Received 11-25-63

From Mrs. [illegible]
(NAME OF CONTRIBUTOR)

2515 W 5th - Irving
(ADDRESS OF CONTRIBUTOR)

Irving Tex
(CITY AND STATE)

By [illegible]
(NAME OF SPECIAL AGENT)

To Be Returned Yes ☐
No ☒

Description:

Copy of letter written by Oswald

Retd to Mrs. Paine on 4-22-64 per SAS

12-14-63 mm

62-109060-7258X2

LIRE

(Title)

(File No.) 89-43-1A

Disposition:

6

10 11 60

ENCLOSURE

89-43-1A

SEARCHED
SERIALIZED
INDEXED
FILED

FBI - ALBUQUERQUE

(Title)

(File No.)

Disposition:

FBI

Date: 9/26/75

Transmit the following in _____ (Type in plaintext or code)

Via AIRTEL _____ (Precedence)

TO: DIRECTOR, FBI (62-109060)
ATTENTION: SA DOUG GOW
INVESTIGATIVE DIVISION

FROM: SAC, NEW ORLEANS (89-69)

ASSASSINATION OF PRESIDENT KENNEDY,
NOVEMBER 22, 1963
DALLAS, TEXAS

Re Bureau telcall to New Orleans 9/24/75, and New Orleans telcalls to Bureau 9/24 and 9/25/75.

Enclosed for the Bureau are two copies each of teletype dated 11/22/63, from Director to all offices regarding assassination of President JOHN F. KENNEDY sent from the Bureau at 9:06 PM and teletype from Director to all offices regarding assassination of President JOHN F. KENNEDY sent from the Bureau at 9:42 PM.

Enclosed teletype which was sent from the Director at 9:06 PM, received New Orleans 8:10 PM, Central Standard Time (CST) reflected initials TJB which have been identified as former clerk THOMAS J. BEVANS who is currently a Special Agent assigned to Los Angeles Division. This teletype was blockstamped November 22, 1963, and initialed by former SAC HARRY G. MAYNOR.

The second teletype which was sent by the Bureau at 9:42 PM and received at New Orleans at 8:44PM CST also by THOMAS J. BEVANS currently a Special Agent assigned to the Los Angeles Division was blockstamped November 22, 1963 and is initialed by former New Orleans Supervisor

(3) - Bureau (Enc. 4) ENCLOSURE
1 - New Orleans
JEC-jss
(4)

REC-57 62-109060-7259

17 SEP 29 1975

Approved: _____ Special Agent in Charge

Sent _____ M Per _____

JOHN REYNOLDS. It is noted that the first teletype was not clear and the second teletype appears to be merely a clarification of the first teletype.

The Bureau additionally requested New Orleans to determine if ROY SIMON was previously employed in a clerical capacity by this division and it has been determined that ROY JOSEPH SIMON, JR., was employed at the New Orleans Division sometime subsequent to 1961, although all files pertaining to his employment at New Orleans have been sent to the Bureau following his departure from Bureau service.

It is further noted that on teletype sent from the Bureau 11/22/63, at 9:42 PM, received at New Orleans 8:44 PM CST the following was written in pencil on this communication, "8:30 AM 11/23/63 Jennings Yazoo, Mis."

The pencil notation referred to telephone call to SA SAMUEL N. JENNINGS to ask him to contact his Klan and racial sources in Yazoo City, Mississippi area.

URGE-22-63 9-06 ( ) BH

TO ALL OFFICES

FROM DIRECTOR 1P

ASSASSINATION OF PRESIDENT JOHN F. KENNEDY.

ALL OFFICES IMMEDIATELY CONTACT ALL INFORMANTS, SECURITY, RACIAL AND CRIMINAL, AS WELL AS OTHER SOURCES, FOR INFORMATION BEARING ON ASSASSINATION OF PRESIDENT KENNEDY. ALL OFFICES IMMEDIATELY ESTAB

ISH WHEREABOUTS OF BOMBING SUSPEITS, ALL KNOWN KLAN AND HATE GROUP MEMBERS, KNOWN RACIAL EXTREMISTS, AND ANY OTHER INDIVIDUALS WHO ON THE BASIS OF INFORMATION AVAILABLE IN YOUR FILES MAY POSSIBLY HAVE BEEN INVOLVED.

UTMOST PRIORITY MUST BE AFFORDED INVESTIGATION. ALL OFFICES SUTEL DAILY RESULTS OF INVESTIGATION.

END ACK IN O PLS

ME

ND 8-10 PM OK FBI NO TJB

SV VN

BH

AT

MO

JK 9-09 PM EST OK FBI JK SAN

TP I DID NOT RECEIVE MIN HOLD PLS

CO MR ME OK FBI ME REC OK ACK CORRECTLY PLS

8-12 PM OK FBI ME KGF

SV OOOOPR R U THERE PLS

YES I CANNOT GET ACK FROM BUT 3 OFFICES AND TP DID NOT RECV AT ALL Sisters

11-19-13

SEARCHED ____ INDEXED ____
SERIALIZED ____ FILED ____
NOV 22 1963
FBI — NEW ORL...

URGENT 11-22-63 [redacted]-42 PM BH

TO ALL OFFICES

FROM DIRECTOR 1P

ASSASSINATION OF PRESIDENT JOHN F. KENNEDY.

ALL OFFICES IMMEDIATELY CONTACT ALL INFORMANTS, SECURITY, RACIAL AND CRIMINAL, AS WELL AS OTHER SOURCES, FOR INFORMATION BEARING ON ASSASSINATION OF PRESIDENT KENNEDY. ALL OFFICES IMMEDIATELY ESTABLISH WHEREABOUTS OF BOMBING SUSPECTS, ALL KNOWN KLAN AND HATE GROUP MEMBERS, KNOWN RACIAL EXTREMISTS, AND ANY OTHER INDIVIDUALS WHO ON THE BASIS OF INFORMATION AVAILABLE IN YOUR FILES MAY POSSIBLY HAVE BEEN INVOLVED.

UTMOST PRIORITY MUST BE AFFORDED INVESTIGATION.

ALL OFFICES SUTEL DAILY RESULTS OF INVESTIGATION.

END ACK IN O PLS

ME 8-44 PM OK FBI ME KGF

ND 8-44 PM OK FBI NO TJB

SV 9-44 PM OK FBI SV PP

BH 8-44 PM OK FBI BH HEP

AT 8-44 PM OK FBI AO JDW

AGAIN AT O-3 9-44 PM OK FBI AT JDW

MO 8-45 PM CST OK FBI MO CCM

JK 9-44 PM EST OK FBI JK SAN

TP 9-44 PM EST OK FBI TP JDF

TU CLR O

[redacted]

FBI — NEW ORLEANS

SEP 28 75

NR 002 SL PLAIN

1125 PM URGENT 9/27/75 WRF

TO DIRECTOR

FROM ST. LOUIS (89-36)

ASSASSINATION OF PRESIDENT JOHN F. KENNEDY, 11/22/63, DALLAS, TEXAS

ATTN: GENERAL INVESTIGATIVE DIVISION

RE TELETYPE FROM BUREAU 9/27/75.

ST. LOUIS INDICES AND APPROPRIATE FILES CHECKED WITH NEGATIVE RESULTS REGARDING ALLEGED TELETYPE DATED 11/17/63.

END

MRF FBI WDC SS

D

EX-105

REC-36 62-109060-7260

SEP 30 1975

70 OCT 8 1975

Asst. Dir.:
Admin.
Comp. Syst.
Ext. Affs.
Files & Com.
Gen. Inv.
Ident.
Inspection
Intell.
Laboratory
Plan. & Eval.
Spec. Inv.
Training
Legal Coun.
Telephone Rm.
Director Sec'y

SEP 2 1975

TELETYPE

Dir.
Admin.
Comp. Syst.
Ext. Affairs
Files & Com.
Gen. Inv.
Ident.
Inspection
Intell.
Laboratory
Plan. & Eval.
Spec. Inv.
Training
Legal Coun.
Telephone Rm.
Director Sec'y

NR 001 CV PLAIN

12:20 AM URGENT 9-28-75 JAT

TO: DIRECTOR

FROM: CLEVELAND

ATTN: GENERAL INVESTIGATIVE DIVISION

RE: ASSASSINATION OF PRESIDENT JOHN F. KENNEDY, 11-22-63,

DALLAS, TEXAS.

RE: BUREAU TELETYPE TO ALL SACS, 9-27-75.

A CHECK OF CV INDICES AND A THOROUGH SEARCH OF PERTINENT LOGICAL FILES REVEALED NO TELETYPE SIMILAR TO THAT REFERRED TO IN BUREAU TELETYPE WAS RECEIVED BY CV OFFICE.

END.

TMA ACK FOR ONE FBIHQCLR

REC-36 62-117060-7261

EX-106

8 SEP 30 1975

6-VM

5 OCT 6 1975

177

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

SEP 28 1975

TELETYPE

Dep. A.D.-Inv.
Asst. Dir.:
Admin.
Comp. Syst.
Ext. Affairs
Files & Com.
Gen. Inv.
Ident.
Inspection
Intell.
Laboratory
Plan. & Eval.
Spec. Inv.
Training
Legal Coun.
Telephone Rm.
Director Sec'y

NR 001 LV PLAIN

9:47 PM NITEL SEPTEMBER 27, 1975 MJH

TO DIRECTOR

FROM LAS VEGAS (55-1)

ATTN: GENERAL INVESTIGATIVE DIVISION

ASSASSINATION OF PRESIDENT JOHN F. KENNEDY, 11/22/63, DALLAS, TEXAS.

REBUTEL CAPTIONED AS ABOVE, SEPTEMBER 27, 1975.

PER REQUEST OF BUREAU INDICES SEARCH AND FILE REVIEW IN LAS VEGAS OFFICE WAS CONDUCTED ON ALL PERTINENT AND/OR LOGICAL FILES WITHOUT EFFECTING LOCATION OF TELETYPE MENTIONED IN RETEL.

NO TELETYPES OF ANY SIMILAR CONTEXT LOCATED.

END

REC-36 62-109060-7262

TMA ACK FOR ONE FBIHQ CLR

EX-106

21 SEP 30 1975

5 OCT 08 1975
F247

COMMUNICATIONS SECTION

SEP 28 1975

TELETYPE

Assoc. Dir.:
Admin.
Comp. Syst.
Ext. Affairs
Files & Com.
Gen. Inv.
Ident.
Inspection
Intell.
Laboratory
Plan. & Eval.
Spec. Inv.
Training
Legal Coun.
Telephone Rm.
Director Sec'y

NR001 WF PLAIN

12:06AM NITEL SEPTEMBER 28, 1975 ALM

TO DIRECTOR (62-109060)

FROM SAC, WFO (89-75) (RUC)

ATTENTION: GENERAL INVESTIGATIVE DIVISION

ASSASSINATION OF PRESIDENT JOHN F. KENNEDY, NOVEMBER 22, 1963, DALLAS, TEXAS.

RE BUREAU TELETYPE SEPTEMBER 27, 1975, REQUESTING ALL OFFICES TO SEARCH THEIR INDICES AND ALL PERTINENT FILES IN ATTEMPT TO LOCATE ALLEGED NOVEMBER 17, 1963, FBIHQ TELETYPE TO ALL SACS CONCERNING POSSIBLE THREAT TO ASSASSINATE PRESIDENT KENNEDY IN DALLAS, TEXAS. EX-106 REC-38 62-109060-7263

A REVIEW OF WFO INDICES AND PERTINENT FILES FAILED TO DISCLOSE ANY INDICATION OF SUCH A TELETYPE BEING RECEIVED BY THIS OFFICE.

END

SEP 30 1975

THIS IS

TMA ACK FOR ONE FBIHQ CLR

OCT 8 1975

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

SEP 27 1975

TELETYPE

D[illegible]m	
Dep[illegible]Inv.	
Asst. [illegible]r.:	
Admin.	
Comp. Syst.	
Ext. Affairs	
Files & Com.	
Gen. Inv.	
Ident.	
Inspection	
Intell.	
Laboratory	
Plan. & Eval.	
Spec. Inv.	
Training	
Legal Coun.	
Telephone Rm.	
Director Sec'y	

NR004 DE PLAIN

11:05PM URGENT SEPTEMBER 27, 1975 DLR

TO DIRECTOR

FROM DETROIT

ATTN: GENERAL INVESTIGATIVE DIVISION

ASSASSINATION OF PRESIDENT JOHN F. KENNEDY, NOVEMBER 22, 1963, DALLAS, TEXAS.

RE BUTEL TO ALL SACS, SEPTEMBER 27, 1975.

A REVIEW OF ALL DETROIT INDICES REFERENCES AND 62-0, 89-0, FOR MONTHS OF OCTOBER, NOVEMBER, AND DECEMBER, 1963, NEGATIVE RE TEL FROM FBIHQ ON NOVEMBER 17, 1963, ENTITLED, "THREAT TO ASSASSINATE PRESIDENT KENNEDY IN DALLAS, TEXAS, MISCELLANEOUS INFORMATION CONCERNING."

REC-36 62-109060-1264

END

HOLD PLS

X-100

SEP 30 1975

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Telephone Rm.
Director Sec'y

NR0004 RC PLAIN

URGENT

7:05PM 9/27/75 ~~TTEL~~ FPM

TO: DIRECTOR

FROM: RAPID CITY

RE TELETYPE TO ALL SACS 9/27/75, ASSASSINATION OF PRESIDENT JOHN F. KENNEDY, 11/22/63, DALLAS, TEXAS.

SEARCH OF RAPID CITY, SOUTH DAKOTA AND CHADRON, NEBRASKA RESIDENT AGENCIES FILES AND INDICIES NEGATIVE.

END

HOLD

EJF FBIHQ 1.

ST 124

REC-36 62-109060-7165

SEP 30 1975

6-1m

58 OCT 8 1975

127

SEP 27 1975

TELETYPE

NR003 BH PLAIN

1043 PM URGENT 9-27-75 HEP

TO DIRECTOR

FROM BIRMINGHAM (89-45)

ATTN: GENERAL INVESTIGATIVE DIVISION.

ASSASSINATION OF PRESIDENT JOHN F. KENNEDY, 11/22/63, DALLAS, TEXAS.

REBUTEL SEPTEMBER 27, 1975.

SEARCH OF BIRMINGHAM OFFICE INDICES, 62-0, 89-0, AND OTHER LOGICAL FILES FOR THE MONTHS OF OCTOBER, NOVEMBER, AND DECEMBER, 1963, NEGATIVE. SEARCH OF POSSIBLY PERTINENT FILES REVEALS NO SKIPS IN SERIALIZATION WHICH MIGHT INDICATE SUCH A TELETYPE WAS RECEIVED AND MISFILED.

END

EX-100 REC-36 62-109060-7260

WSM FBIHQ CLR

5 SEP 30 1975

5 OCT 8 1975

127

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Director Sec'y

SEP 28 1975

TELETYPE

NR001 PLAIN JN

12:01PM URGENT SEPTEMBER 28, 1975 JWD

TO DIRECTOR

ATTENTION: GENERAL INVESTIGATIVE DIVISION

FROM JACKSON (175-5)

ASSASSINATION OF PRESIDENT JOHN F. KENNEDY, 11/22/73,

DALLAS, TEXAS.

RE BUREAU TELETYPE TO ALL SACS, DATD 9/27/75.

PERTINENT FILES AND INDICES JACKSON DIVISION

REVIEWED PURSUANT TO ABOVE REFERENCED TELETYPE WITH

NEGATIVE RESULTS.

END

MAN FBIHQ ACKFO ONE

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EX-103

REC-20 62-109060-7267

5 SEP 30 1975

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Director Sec'y —

NR 002 PD PLAINTEXT

6:15 PM NITEL SEPTEMBER 28, 1975 LLD

TO: DIRECTOR, FBI (ATTENTION GID)

FROM: SAC, PORTLAND

ASSASSINATION OF PRESIDENT JOHN F. KENNEDY, 11-22-63, DALLAS, TEXAS.

REBUTEL TO ALL SACS, DATED 9-27-75.

REVIEW OF PORTLAND INDICES AND FILES THIS DATE DISCLOSES NO RECORD OF 11-17-63 TELETYPE MENTIONED IN RETEL, NOR RECEIPT OF SIMILAR TELETYPE.

END

WGM FBIHQ CLR

EX-106

REC-29 62-107060-7168

5 SEP 30 1975

COMMUNICATIONS SECTION

SEP 29 1975

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NR 001 AN PLAIN

7:22PM NITEL 9-28-75 LHH

TO: DIRECTOR

FROM: SAC, ANCHORAGE (62-672) (C) LHH

ASSASSINATION OF PRESIDNET JOHN F. KENNEDY, 11/22/63, DALLAS, TEX.

RE BU TEL 9-27-75.

REVIEW OF ANCHORAGE FILES FAILS TO REFLECT ANY RECORD OF CAPTIONED TELTYPE.

END

EJF FBIHQ 1.

TEL ROOM

D

62-109060-7269

1EX-106

REC-30

17 SEP 29

6 OCT 08 1975

127

NR001 KC PLAIN

1:42PM URGENT 9/28/75 NGW

TO DIRECTOR, FBI

ATTN: GENERAL INVESTIGATIVE DIVISION

FROM KANSAS CITY

ASSASSINATION OF PRESIDENT JOHN F. KENNEDY, 11/22/63, DALLAS, TEXAS.

RE BUREAU TELETYPE SEPTEMBER 27, 1975.

SEARCH OF INDICES AND PERTINENT FILES IN KANSAS CITY OFFICE NEGATIVE REGARDING TELETYPE TO ALL SACS DATED NOVEMBER 17, 1963.

END

KKKKKK

EX-106

REC-29 62-109060-7270

8 SEP 30 1975

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FBI

OCT 8 1975

SEP 28 1975

NR 002 OC PLAIN

530 PM NITEL SEPT 28, 1975 DAF

TO DIRECTOR 62-109060

FROM OKLAHOMA CITY 89-41 P

ATTENTION: GENERAL INVESTIGATIVE DIVISION

ASSASSINATION OF PRESIDENT JOHN F. KENNEDY, 11/22/63, DALLAS, TEXAS.

RE BUTEL TO ALL SACS, 9/27/75.

OC INDICES, OC 62-0, AND OC 89-0 FILES NEGATIVE CONCERNING ALL SAC TELETYPE DATED 11/17/63, ENTITLED "THREAT TO ASSISSINATE PRESIDENT KENNEDY IN DALLAS, TEXAS, MISCELLANEOUS INFORMATION CONCERNING."

END

WGM FBIHQ CLR

SI 104 REC-50 62-109060-1271

SEP 30 1975

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OCT 10 1975

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SEP 28 1975

FBI

NR 001 IP PLAIN

8:00 PM URGENT 9/28/75 CXM

TO DIRECTOR

FROM INDIANAPOLIS (62-1686) (C)

ATTN: GID John F.

ASSASSINATION OF PRESIDENT KENNEDY, 11/22/63, DALLAS, TEXAS.

RE BUREAU TELETYPE TO ALL OFFICES, SEPT. 27, 1975.

A REVIEW OF ALL PERTINENT FILES CONDUCTED THIS DATE. NO INFORMATION REFLECTED THAT ALLEGED TELETYPE DATED NOVEMBER 17, 1963 RECEIVED BY INDIANAPOLIS OFFICE. NO SKIPS IN SERIALIZATION NOTED AND INDIANAPOLIS NOT IN RECEIPT OF ANY TELETYPES OF SIMILAR NATURE TO ALLEGED TELETYPE.

END

WGM FBIHQ CLR

REC-28 62-109060-1272

EX-106

5 SEP 30 1975

F247

5 OCT 08 1975

NR 001 NK PLAIN

8:10PM URGENT 9/28/75 JHC

TO DIRECTOR

FROM NEWARK

ASSASSINATION OF PRESIDENT JOHN F. KENNEDY,

11/22/63, DALLAS, TEXAS

RE BUTEL OF 9/27/75.

SEARCH OF NEWARK FILES INDICATED SERIALS CONTAINED IN 62-0 AND 89-0, FOR MONTHS OF OCTOBER, NOVEMBER, AND DECEMBER, 1963, DESTROYED.

SEARCH OF NEWARK INDICES NEGATIVE RE ANY INDICATION THAT ALLEGED BUTEL OF 11-17-63, OR ONE SIMILAR TO IT RECEIVED BY NEWARK. SEARCH OF LOGICAL NEWARK FILES ALSO NEGATIVE IN THIS REGARD. NO SKIPS INDICATED IN SERIALIZATION OF ANY FILES SEARCHED.

END

EX-106 REC-28 62-109060-7273

WGM FBIHQ LR CLR

5 OCT 08 1975

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NR002 MP PLAIN

532PM NITEL SEPTEMBER 28, 1975 AGL

TO DIRECTOR, FBI

FROM MINNEAPOLIS 62-3114

ATTN: GENERAL INVESTIGATIVE DIVISION

ASSASSINATION OF PRESIDENT JOHN F. KENNEDY, 11-22-63, DALLAS, TEXAS.

RE BUREAU TELETYPE TO ALL SAC'S DATED SEPTEMBER 27, 1975.

MINNEAPOLIS INDICES AND THE FOLLOWING MINNEAPOLIS FILES REVIEWED WITH NEGATIVE RESULTS. 62-0; MINNEAPOLIS FILE 62-3114 (BUREAU FILE 62-109060); 89-0; 157-0. A REVIEW OF OTHER LOGICAL FILES DISCLOSED NO INFORMATION INDICATING MINNEAPOLIS RECEIVED A TELETYPE OR OTHER COMMUNICATION FROM BUREAU AS ALLEGED.

END.

WGM FBIHQ CLR

REC-28 62-109060-7274

EX-106

5 SEP 30 1975

6-111

5 OCT 08 1975

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

SEP 28 1975

TELETYPE

Dep.-A.D.-Inv. ____
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Director Sec'y ____

WR001 SV PLAIN

948 PM URGENT 9/28/75 PNR

TO DIRECTOR

FROM SAVANNAH 89-36

ATTN: GENERAL INVESTIGATIVE DIVISION

ASSASSINATION OF PRESIDENT JOHN F. KENNEDY, 11/22/63, DALLAS, TEXAS.

RE BUTEL TO ALL SACS 9/27/75.

SAVANNAH FILES 89-0, 62-0, 89-36 (KENNEDY ASSASSINATION FILE) AND 89-48 (CONTROL FILE FOR DISSEMINATION) REVIEWED. NO TELETYPE CAPTIONED AS ONE REFERRED TO IN RE BUTEL WAS RECEIVED BY THE SAVANNAH DIVISION.

D

END

EX-106

WGM FBIHQ CLR

REC-28 62-109060-7275

5 SEP 30 1975

C-WM

5 OCT 08 1975
P247

NO 001 CODE

12:35 PM 8/26/75 IMMEDIATE RECEIVED SEP 26 1975

TO DIRECTOR (62-109060)

FROM NEW ORLEANS (89-69)

TELETYPE

ATTN: SUPERVISOR WILLIAM NETTLES INVESTIGATIVE DIVISION

ASSASSINATION OF PRESIDENT KENNEDY, NOVEMBER 22, 1963, DALLAS, TEXAS

RE BUREAU TEL CALL TO NEW ORLEANS SEPTEMBER 25, 1975, AND NEW ORLEANS TELCALL TO BUREAU SEPTEMBER 26, 1975.

A REVIEW OF NEW ORLEANS FILE 62-0 COVERING PERIOD DECEMBER 1962 THROUGH FEBRUARY 1964, DETERMINED NUMEROUS SKIPS IN SERIALIZATION DUE TO DESTRUCTION OF FILES PURSUANT TO MANUAL OF RULES AND REGULATIONS, PART II, SECTION 3, PAGES 13A AND 13B.

A REVIEW OF NEW ORLEANS FILES FAILED TO LOCATE TELETYPE DATED NOVEMBER 17, 1963, DISCUSSED IN REFERENCED TELCALLS PERTAINING TO THREAT TO KILL PRESIDENT KENNEDY.

REVIEW OF NEW ORLEANS INDICES FAILED TO LOCATE ANY INDEX CARDS PERTAINING TO POSSIBLE ASSASSINATION, THREATS TO ASSASSINATE OR ASSASSINATION OF PRESIDENT KENNEDY REFERRING TO NO 62-0 FILES.

REC-28 62-109060-7276

END MESSAGE...

VLN FBIHQ CLR TU

EX-106

SEP 30 1975

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001 LA PLAIN

10:21AM URGENT 9-28-75 MJD

TO DIRECTOR

FROM LOS ANGELES (89-75)

ATTN: GENERAL INVESTIGATIVE DIVISION

ASSASSINATION OF PRESIDENT JOHN F. KENNEDY, NOVEMBER 22, 1963, DALLAS, TEXAS.

REBUTEL TO ALL SACS DATED SEPTEMBER 27, 1975.

REVIEW OF LOS ANGELES INDICES, FILES 62-0 AND 89-0 AS WELL AS OTHER LOGICAL FILES HAS FAILED TO LOCATE THE ALLEGED FBIHQ TELETYPE DATED NOVEMBER 17, 1963 ENTITLED "THREAT TO ASSASSINATE PRESIDENT KENNEDY IN DALLAS, TEXAS, MISCELLANEOUS INFORMATION CONCERNING."

END

MAH FBIHQACK FOR ONE

WA CLR

REC-28 62-109060 1277

EX-106

8 SEP 30 1975

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NR 94 SD PLAIN

11:12 AM URGENT SEPTEMBER 28, 1975 GMF

TO DIRECTOR

FROM SAN DIEGO (62-1529) 1P

ASSASSINATION OF PRESIDENT JOHN F. KENNEDY, NOVEMBER 22, 1963, DALLAS, TEXAS.

RE BUREAU TELETYPE TO ALL SACS SEPTEMBER 27, 1975.

SEARCH OF INDICES AND ALL LOGICAL FILES IN SAN DIEGO OFFICE RE TELETYPE ENTITLED "THREAT TO ASSASSINATE PRESIDENT KENNEDY IN DALLAS, TEXAS, MISCELLANEOUS INFORMATION CONCERNING" CONDUCTED WITHOUT FINDING COPY OF TELETYPE OR ANY REFERENCE TO SUCH A TELETYPE.

END

MAH FBIHQ ACK FO ONE

WA CLR

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REC-28 62-107060-7278

EX-106

5 SEP 30 1975

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NR003 MOBILE PLAIN

1-45 PM NITEL SEPT.28,1975 VFP

TO DIRECTOR ATTN: GENERAL INVESTIGATIVE DIVISION.

FROM MOBILE (89-25) RUC

ASSASSINATION OF PRESIDENT JOHN FITZGERALD KENNEDY, NOVEMBER 22,1963, DALLAS TEXAS.

REBUTEL ALL SAC-S SEPTEMBER 27,1975.

AS SET FORTH IN MOTEL TO BUREAU SEPTEMBER 25,1975, COMPLETE SEARCH OF LOGICAL FILES MOBILE OFFICE WAS MADE AND NO RECORD FOUND OF TELETYPE FROM DIRECTOR TO ALL SAC-S DATED NOVEMBER 17,1963, CAPTIONED "THREAT TO ASSASSINATE PRESIDENT KENNEDY IN DALLAS, TEXAS, MISCELLANEOUS INFORMATION CONCERNING".

THIS SEARCH COVERED PERIOD OCTOBER THROUGH DECEMBER 1963 IN FOLLOWING CLASSIFICATIONS : 62, 62-0,89, 89-0, 100-0, 105-0, 157-0, AND 174-0. EX-106 REC-28 7279

THOROUGH CROSS REFERENCED SEARCH MOBILE INDICES FAILED TO LOCATE ANY REFERENCE TO TELETYPE IN QUESTION. 5 SEP 30 1975

END

5 OCT 8 1975

FBI/DOJ

1 - Mr. Adams
1 - Mr. Bassett
1 - Mr. Gallagher
1 - Mr. Wannall
1 - Mr. Mintz
1 - Mr. Cregar
1 - Mr. Daly
1 - Mr. Hotis

September 18, 1975

The Deputy Attorney General
(Attention: Michael E. Shaheen,
Special Counsel for Intelligence Coordination)
Director, FBI

HOUSE SUBCOMMITTEE ON CIVIL
AND CONSTITUTIONAL RIGHTS OF THE
COMMITTEE ON THE JUDICIARY

We were recently advised by Alan Parker, Chief Counsel for the House Subcommittee on Civil and Constitutional Rights, that the Subcommittee will hold hearings at the earliest opportunity on matters relating to the assassination of President Kennedy.

Among the matters to be considered by the Subcommittee are allegations that the Bureau's Office in Dallas was alerted to the possibility of an assassination attempt several days prior to the assassination and a threatening note received by that Office from Lee Harvey Oswald was destroyed. Since these charges are presently being investigated by this Bureau and may be referred to the Department for a prosecutive opinion, we think it is inappropriate to discuss them before the Subcommittee at this time. In the alternative, it is suggested that we brief Chairman Edwards in a general manner on this subject.

Chairman Edwards said he intends to hold hearings as soon as we are prepared to testify. Accordingly, an early expression of your views on this matter will be appreciated.

SEP 19 1975 FBI

NOTE: See Legal Counsel to Mr. Adams memorandum dated 9-17-75, captioned "House Subcommittee on Civil and Constitutional Rights of the Committee on the Judiciary."

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Director Sec'y ...

JBH:dkg (12)

MAIL ROOM 1975 177

TELETYPE UNIT

GPO : 1975 O - 569-920

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. J. B. Adams

DATE: 9-17-75

FROM : Legal Counsel

SUBJECT: HOUSE SUBCOMMITTEE ON CIVIL AND CONSTITUTIONAL RIGHTS OF THE COMMITTEE ON THE JUDICIARY

Asst. Dir.
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On 9-16-75 Alan Parker, Chief Counsel for the House Subcommittee on Civil and Constitutional Rights, advised Inspector Hotis that the Subcommittee will hold hearings at the earliest opportunity on matters relating to the assassination of President Kennedy.

Parker said that Chairman Edwards does not want to reopen the assassination inquiry, but he feels that the Committee must address certain questions that have been raised concerning the alleged destruction of a threatening note received by the Dallas Office from Lee Harvey Oswald in November, 1963, and the Bureau's relationship with Jack Ruby. Among the matters to be examined by the Committee are allegations that the Bureau's Office in Dallas was alerted to the possibility of an assassination attempt at least five to ten days prior to the assassination. In addition, the Bureau reportedly told the Warren Commission that we had no knowledge of Jack Ruby prior to the assassination, nor did we have any information indicating that he was connected with organized crime. And yet, it is alleged that the Bureau had contacted Ruby on nine different occasions in an attempt to recruit him as an informant. Parker said it was his understanding that these contacts were discontinued when Ruby failed to provide any useful information to the Bureau. It is also claimed that Ruby, who was then known as Jack Rubenstein, was involved in a union killing in 1939. Parker said that these charges raise serious questions about Ruby's relationship with the Bureau and with elements in organized crime. Finally, Parker said that if a threatening note was, in fact, received from Oswald, the Committee wants to know what the note contained and why it was destroyed. He said this seems to contradict the testimony by Mr. Kelley before the Subcommittee earlier this year in which he stated that the Bureau does not destroy investigative information.

Enclosure

1 - Mr. Adams - Enclosure
1 - Mr. Bassett - Enclosure
1 - Mr. Gallagher - Enclosure
1 - Mr. Wannall - Enclosure
1 - Mr. Mintz - Enclosure
1 - Mr. Cregar - Enclosure
1 - Mr. Daly - Enclosure
1 - Mr. Hotis - Enclosure

JBH:dkg (10)

CONTINUED - OVER

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

Parker said the Chairman plans to hold hearings on these matters as soon as possible and would like us to advise him when we would be prepared to testify.

It should be noted that the House Select Committee on Intelligence Activities recently requested files, reports, and materials dealing with a "threatening note" received by the Dallas Office from Lee Harvey Oswald in November, 1963, and asked that staff members be allowed to interview SA James P. Hosty, Jr. As you know this matter is currently under investigation by the Bureau and is being referred to the Department for a determination of whether any prosecutive action is warranted. As a consequence we are advising Chairman Pike that it will not be possible for us to furnish the information requested, nor can we make Agent Hosty available for interview at this time. As an alternative we are offering to brief the Chairman in a general manner as to the nature of the Bureau's investigation in these matters.

It is recommended that we adopt the same position with respect to Chairman Edwards' request. Attached is a memo to the Deputy Attorney General advising him of the Chairman's request and recommending that we decline to testify on any matters which are under investigation by this Bureau or which may be referred to the Department for possible prosecutive action.

With regard to the hearings by the Subcommittee scheduled for the 24th of this month, Parker said that the most critical issue concerns the access and verification procedures which the Committee attempted to establish for the GAO investigation. He pointed out that Mr. Edwards had not received a reply to his letter of 6-25-75 to the Attorney General asking that he reconsider the matter. He stated that Chairmen Edwards and Rodino felt that this compromise proprosal was a fair one and they are prepared to go to court on this issue.

RECOMMENDATION:

That the attached memo be sent to the Deputy Attorney General.

The Attorney General

September 16, 1975

Director, FBI

1 - Mr. Bassett
1 - Mr. Wannall
1 - Mr. Moore
1 - Mr. Hotis
1 - Mr. Mintz

LEGISLATIVE MATTERS

During a recent discussion with Congressman Dale Milford, he advised me that he was appointed to the House Select Committee on Intelligence Activities. I mentioned that legislation may become necessary as a result of the Committee's hearings and he offered to assist in forming any such legislation. I commented that any proposed legislation would have to go through the Department, and asked whether he would have any objection if I were to advise the Department of his offer of assistance. He said he had no objection whatsoever.

Therefore, should you desire to confer with a Member concerning legislative proposals related to the work of the House Select Committee you may wish to accept Congressman Milford's offer.

MAILED 6
SEP 15 1975
FBI

1 - The Deputy Attorney General

1 - Assistant Attorney General
Office of Legislative Affairs

NOTE: Based on memo H. N. Bassett to the Director 9/10/75, captioned "Congressman Dale Milford, Visit with the Director," HNB:bhg.

JAM:mfd
(10)

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Director Sec'y

8 OCT 8 1975

MAIL ROOM [ ] TELETYPE UNIT [ ]

16 SEP 26 1975

NOT RECORDED
191 SEP 16 1975

OR

Memorandum

TO : THE DIRECTOR

DATE: September 10, 1975

FROM : H. N. BASSETT

SUBJECT: CONGRESSMAN DALE MILFORD
VISIT WITH THE DIRECTOR

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Director Sec'y

On the morning of September 10, 1975, Congressman Dale Milford personally visited with the Director. I also was in attendance during this meeting. Congressman Milford advised that the purpose of his visit was two-fold: (1) he was interested in any official information the Director could furnish him concerning the inquiry being made in Dallas regarding Oswald's visit to that office prior to the assassination and (2) any unofficial information which the Director might be able to furnish.

The Congressman mentioned that he represents the Dallas - Fort Worth area and there has been considerable publicity in the newspapers, particularly making reference to the Dallas "Times Herald." He mentioned that he has received pressure over the past looking toward the possibility of reopening the investigation of the Kennedy assassination and his response has always been if you can show me official evidence he would attempt to take positive action. However, to date he has yet to receive any positive evidence.

The Director then made reference to the press release which was previously issued concerning the matter. Congressman Milford was told that the inquiry is continuing and that the only objective is to find the truth. The Director mentioned that he wasn't sure at this point what would happen, that is, it is possible that the matter may go before a grand jury or it is possible that it may result in internal discipline. The Congressman seemed satisfied with this response and mentioned that he would so advise his constituents of the Director's comments and in particular of the fact that he had met with the Director and assure them of the Director's intent to seek the truth.

Congressman Milford mentioned that he was recently appointed to the U. S. House Select Committee on Intelligence Activities. He said that he feels that some members of this Committee are on a witch hunt as it applies to the intelligence community which included the FBI. He said that he was a former police officer and has always been an admirer of the FBI and that

1 - Messrs. Jenkins, Adams, Mintz, Moore, Wannall

HNB:bhg (7)

16 SEP 26 1975

CONTINUED - OVER

NOT RECORDED
191 SEP 5 1975

while he did not want it to be considered collusion on his part he wanted the Director to know that he was more than willing to assist in any way possible. He said that one drawback is the fact that he knows very little about our activities and strongly recommended that during the hearings to come we bring out the positive things which we have accomplished. The Director mentioned that perhaps legislation was necessary in some areas and the Congressman stated that if there was any way that he could assist in forming any legislation he would be happy to do so. The Director commented that, of course, any proposed legislation would have to go through the Department and asked the Congressman whether he would have any objection in advising the Department of his offer of assistance in this regard. The Congressman said that he had no objection whatsoever.

The foregoing is submitted for record purposes.

WXA

NR 001 NY PLAIN

6:45PM URGENT 9/28/75 JVD

TO: DIRECTOR, FBI

FROM: SAC, NEW YORK (89-75)

ATTN: GENERAL INVESTIGATIVE DIVISION

ASSASSINATION OF PRESIDENT JOHN F. KENNEDY, NOVEMBER 22, 1963, DALLAS, TEXAS

REBUTEL TO NEW YORK, SEPTEMBER, 27, 1975.

NYO 62-0 AND 89-0 FILES, DATED PRIOR TO JANUARY, 1965, DESTROYED.

REVIEW OF NEW YORK, 89-75, THE MAIN ASSASSINATION FILE OF PRESIDENT KENNEDY WAS NEGATIVE CONCERNING ALLEGED TELETYPE FROM FBIHQ TO SACS ON NOVEMBER 17, 1963 CAPTIONED, "THREAT TO ASSASSINATE PRESIDENT KENNEDY IN DALLAS." THE 89-75 FILE WHICH WAS OPENED AFTER ASSASSINATION CONTAINED GREEN CHARGEOUT FOR EXISTING 66, 67 NOT IN FILE AT TIME FILE VOLUMES CONSOLIDATED. NO INDICATION WHETHER THIS WAS DUE TO MISSERIALIZATION. SERIALS 65, DATED NOVEMBER 24, 1963 AND SERIAL 66, DATED NOVEMBER 24, 1963. CASE ASSIGNED TO SA EUGENE O'NEILL, NOW RETIRED FROM BUREAU AND CURRENTLY PUBLIC SAFETY DIRECTOR, BAYONNE, NEW JERSEY.

THE ONLY FILE IN THE NYO CONCERNING INFORMATION OF A

EX-106 REC-30 6-119-68-7280

SEP 30 1975

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Telephone Rm.
Director Sec'y

THREAT WAS 157-994. THIS FILE CONTAINED INFORMATION CONCERNING A BOMB THREAT TO PRESIDENT KENNEDY AT CITY COLLEGE, NEW YORK, NEW YORK, ON NOVEMBER 14, 1963. THIS INFOPMATION IMMEDIATELY DISSEMINATED TO SA THOMAS J. TULLY, UNITED STATES SECRET SERVICE, NEW YORK, NEW YORK, ON NOVEMBER 14, 1963. DETAILS OF THIS THREAT SENT TO BUREAU BY AIRTEL DATED NOVEMBER 15, 1963 CAPTIONED, "UNSUB; BOMB THREAT TO PRESIDENT, NY, NY NOVEMBER 14, 1963, BOMB MATTERS - THREAT." ENCLOSED WITH THIS AIRTEL WAS LHM AND FULL DETAILS.

COMPLETE INDICES AND FILE SEARCH UNABLE TO LOCATE QUESTIONED DOCUMENT.

END.

WGM FBIHQ CLR

FOUNDATION

NR001 BS CODE

3:15 PM URGENT SEPTEMBER 28, 1975 HWM

TELETYPE

TO DIRECTOR

FROM BOSTON (89-43) RUC

SUBJECT: ASSASSINATION OF PRESIDENT JOHN F KENNEDY,

11/22/63, DALLAS, TEXAS

RE BUTEL 9/27/75.

BOSTON FILES REVIEWED AND CONTAIN NO IDENTIFIABLE

RECORD OF A TELETYPE AS CAPTIONED ABOVE.

END

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Director Sec'y

EX-110

REC-3 62-107060-7281

OCT 1 1975

57 OCT 1 1975

SEP 28 1975

NR001 DL PLAIN

429 PM URGENT 9-28-75 MJH

TO DIRECTOR (ATT. GENERAL INVESTIGATIVE DIVISION)

FROM DALLAS (89-43)

ASSASSINATION OF PRESIDENT JOHN F. KENNEDY, 11-22-63, DALLAS, TEXAS.

REBUTEL TO ALL SACS 9-27-75.

SEARCH OF DALLAS INDICES FAILED TO PRODUCE ANY RECORD OF TELETYPE DESCRIBED IN RETEL, ALLEGEDLY SENT FROM FBIHQ TO ALL SACS ON 11-17-63. THE FILES INDICATED IN RETAL AS WELL AS 100-10461, CAPTIONED "LEE HARVEY OSWALD, AKA, IS -R -CUBA," HAVE BEEN REVIEWED WITH NEGATIVE RESULTS.

END

HOLD

REC-3 62-109060-7282

EX-110

5 OCT 9 1975

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Director Sec'y

R001 AL PLAIN

:13 PM NITEL SEPT 28, 1975 SMM IP

TELETYPE

TO DIRECTOR, FBI

FROM SAC, ALBANY (62-1646)

ASSASINATION OF PRESIDENT JOHN F. KENNEDY, 11/22/63, DALLAS, TEXAS.

RE BUTEL 9/27/75.

SEARCH OF INDICES AND LOGICAL FILES AT ALBANY NEGATIVE AS TO RECEIPT OF A TELETYPE IDENTICAL TO OR SIMILAR TO THAT DESCRIBED IN REFTEL.

END

Dep.-A.D.-Inv.
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Director Sec'y

EX-111 REC-3 62-116060-7083

5 OCT 1 1975

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NR001 CI PLAIN

3:25PM URGENT 9/28/75 MTM

TO DIRECTOR

FROM CINCINNATI (175-0)

ATTENTION: GENERAL INVESTIGATIVE DIVISION

ASSASSINATION OF PRESIDENT JOHN F. KENNEDY, 11/22/63, DALLAS, TEXAS.

RE BUREAU TELETYPE DATED 11/27/75.

A REVIEW OF CINCINNATI INDICES AND FILES REVEAL NO BUREAU TELETYPES CONCERNING PROPOSED ATTEMPT TO ASSASSINATE PRESIDENT KENNEDY DURING TRIP TO DALLAS, TEXAS. SPECIAL ATTENTION WAS DIRECTED TO THE THE MONTHS OF OCTOBER, NOVEMBER AND DECEMBER OF 1963. ALSO SPECIAL SPECIAL ATTENTION WAS DIRECTED TO 11/17/63. NO TELETYPE LOCATED.

END.

EJF FBIHQ 1.

REC-3 62-109060-7784

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NR001 LR PLAIN

2:02PM URGENT SEPTEMBER 28, 1975 LVC

TO DIRECTOR, FBI

FROM LITTLE ROCK

ATTENTION GENERAL INVESTIGATIVE DIVISION

ASSASSINATION OF PRESIDENT JOHN F. KENNEDY, 11/22/63, DALLAS, TEXAS.

RE BUTEL SEPTEMBER 27, 1975, CAPTIONED ABOVE.

SEARCH OF LITTLE ROCK OFFICE INDICES AND LOGICAL FILES RE CAPTIONED MATTER WAS NEGATIVE.

END

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Director Sec'y

REC-3 62-109060-7285

EX-102 OCT 1 1975

GHS FBIHQ FOR 1 CLR

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TELETYPE

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Director Sec'y

MR 001 SF PLAIN

144PM URGENT 9-26-75 MS

TO DIRECTOR

FROM SAN FRANCISCO (89-58)

ATTN: GID

ASSASSINATION OF PRESIDENT JOHN F. KENNEDY, NOVEMBER 22, 1963, DALLAS, TEXAS

REBUTEL SEPTEMBER 27, 1975.

SAN FRANCISCO FILES CONTAIN NO RECORD OF ANY TELETYPE RECEIVED FROM FBIHQ ENTITLED "THREAT TO ASSASSINATE PRESIDENT KENNEDY IN DALLAS, TEXAS, MISCELLANEOUS INFORMATION CONCERNING," DATED NOVEMBER 17, 1963.

END

WGM FBIHQ CLR

REC-3 62-109060-7386

EX-110

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FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

SEP 28 1975

TELETYPE

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Director Sec'y

NR001 NF PLAIN

4:40PM URGENT SEPTEMBER 28, 1975 VLC

TO DIRECTOR

FROM NORFOLK (89-17) (C) 1P

ATTENTION ----- (GENERAL INVESTIGATIVE DIVISION)

ASSASSINATION OF PRESIDENT JOHN F. KENNEDY, 11/22/63, DALLAS, TEXAS.

RE BUTEL SEPTEMBER 27, 1975.

SEARCH OF INDICES, AND REVIEW OF 62-0, 89-0, AND 89-17 (C) FILES COMPLETED SEPTEMBER 28, 1975. NORFOLK DIVISION FILES AND INDICES CONTAINS NO IDENTIFIABLE RECORD OF SUCH A TELETYPE AS REFERENCED IN BUTEL.

END

REC-3 62-109160-7387

WGM FBIHQ CLR

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TELETYPE

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Director Sec'y ____

NR001 SJ PLAIN

4:01 PM URGENT 9-28-75 JXC

TO DIRECTOR

FROM SAN JUAN

ATTENTION: GENERAL INVESTIGATIVE DIVISION

ASSASSINATION OF PRESIDENT JOHN F. KENNEDY, 11-22-63, DALLAS, TEXAS.

RE BUTEL TO ALL SAC'S, 9-27-75.

SEARCH OF SAN JUAN INDICES AND REVIEW OF 62-0 AND 89-0 FILES, FOR TIME FRAME SET OUT, FAILED TO REFLECT ANY RECORD OF SUCH TELETYPE.

REC-3 62-109060-7288

END

NW OCT 1 1975

GHS FBIHQ CLR

57 OCT 9 1975

LZCLU#NK#001 SA PLAIN

2:55 PM NITEL SEPTEMBER 28, 1975 DLE

TO DIRECTOR

(ATTENTION: GENERAL INVESTIGATIVE

DIVISION)

FROM SAN ANTONIO

ASSASSINATION OF PRESIDENT JOHN F. KENNEDY, 11/22/63, DALLAS,

TEXAS. BUDED 9/28/75.

RE BUREAU TELETYPE TO AL SACS, 9/27/75.

SAN ANTONIO FILES AND INDICES CONTAIN NO IDENTIFIABLE

RECORD OF TELETYPE TO ALL SACS ON 11/17/63 ENTITLED " THREAT

TO ASSASSINATE PRESIDENT KENNEDY IN DALLAS, TEXAS,

MISCELLANEOUS INFORMATION CONCERNING."

END

REC-3 62-109060-7789

EX-[illegible]

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GMS FBIHQ CLR

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Director Sec'y ____

NR001 SI PLAIN

535 PM URGENT 9-28-75 BRC

TO DIRECTOR

(ATTN: GID)

FROM SPRINGFIELD (89-23)

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Telephone Rm.
Director Sec'y

ASSASSINATION OF PRESIDENT JOHN F. KENNEDY, 11/22/63, DALLAS, TEXAS.

RE BUREAU TEL TO ALL SAC'S SEPT. 27, 1975.

REVIEW OF INDICES RE "THREAT TO ASSASSINATE PRESIDENT KENNEDY IN DALLAS, TEXAS, MISCELLANEOUS INFORMATION CONCERNING", NEGATIVE.

REVIEW OF 62-0 AND OTHER LOGICAL FILES FOR THE MONTHS OF OCTOBER, NOVEMBER AND DECEMBER, 1963, NEGATIVE.

REVIEW OF FILE 89-0 DISCLOSED A CHARGE OUT AS BEING SERIAL NO. 5 WITH NO DATE GIVEN. CHARGE OUT INDICATES THAT THIS SERIAL NUMBER WAS INADVERTENTLY SKIPPED. SERIAL NO. 4 IS DATED SEPT. 1, 1955, AND SERIAL NO. 6 IS DATED NOV. 27, 1963.

END

REC 3 62-116060-2090

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WR 001 SE PLAIN

10:50 PM NITEL SEPTEMBER 27, 1975 RJW

TO DIRECTOR

FROM SEATTLE 1P

ATTENTION: GID.

ASSASSINATION OF PRESIDENT JOHN F. KENNEDY, NOVEMBER 22, 1963, DALLAS, TEXAS.

RE BUREAU TEL, SEPTEMBER 27, 1975.

A CHECK WAS MADE OF SEATTLE INDICES, 62-0, 89-?, AS WELL AS OTHER PERTINENT FIELS AND NO INFORMATION DEVELOPED INDICATING ANY TELETYPE REFERRED TO IN RE BUREAU TEL SENT SEATTLE DURING PERTINENT PERIOD.

END

TMA ACK FOR ONE FBIHQ CLR

Ex-112

REC-3 62-116460-7091

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MR 004 RH PLAIN

11:59 PM URGENT 9-27-75 PKM

TO DIRECTOR

ATTENTION: GENERAL INVESTIGATIVE DIVISION

FROM ACTING SAC, RICHMOND (89-34)

ASSASSINATION OF PRESIDENT JOHN F. KENNEDY, 11/22/63, DALLAS, TEXAS.

RE BUREAU TELETYPE SEPT. 27, 1975.

SEARCH OF INDICES, REVIEW OF LOGICAL FILES, INCLUDING, 62-0, 89-0, AND FILES RE REVOLUTIONARY GROUPS AT RICHMOND FAILS TO REFLECT TELETYPE MENTIONED IN REFERENCED TELETYPE.

ONLY TELETYPE OF SIMILAR NATURE LOCATED WAS ORIGINAL TELETYPE RECEIVED IN PRESIDENT KENNEDY ASSASSINATION INVESTIGATION WHICH WAS AS FOLLOWS:

"URGENT 11-22-63 8-06 PM EH

TO ALL OFFICES

FROM DIRECTOR IP

ASSASSINATION OF PRESIDENT JOHN F. KENNEDY.

ALL OFFICES IMMEDIATELY CONTACT ALL INFORMANTS, SECURITY, RACIAL AND CRIMINAL, AS WELL AS OTHER SOURCES,

REC-63 6 - 109060-7292

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FOR INFORMATION BEARING ON ASSASSINATION OF PRESIDENT KENNEDY. ALL OFFICES IMMEDIATELY ESTABLISH WHEREABOUTS OF BOMBING SUSPECTS, ALL KNOWN KLAN AND HATE GROUP MEMBERS, KNOWN RACIAL EXTREMISTS, AND ANY OTHER INDIVIDUALS WHO ON THE BASIS OF INFORMATION AVAILABLE IN YOUR FILES MAY POSSIBLY HAVE BEEN INVOLVED.

UTMOST PRIORITY MUST BE AFFORDED INVESTIGATION.

ALL OFFICES SUTEL DAILY RESULTS OF INVESTIGATION.

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RH . 8-08 PM OK FBI RH PLS"

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IMA ACK FOR ONE FBIHQ CLR

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WR02 PX PLAIN

3:06PM SEPTEMBER 28, 1975 URGENT TGC

TO DIRECTOR (ATTENTION GENERAL INVESTIGATIVE DIVISION)

FROM PHOENIX

ASSASSINATION OF PRESIDENT JOHN F. KENNEDY, 11/22/63, DALLAS, TEXAS.

RE URGENT TEL 9/27/75.

PHOENIX UNABLE TO LOCATE ANY TELETYPE DATED 11/17/63 ENTITLED "THREAT TO ASSASSINATE PRESIDENT KENNEDY IN DALLAS, TEXAS, MISCELLANEOUS INFORMATION CONCERNING."

END

REC-63 62-109060-7293

WGM FBIHQ CLR

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FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

SEP 26 1975

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R 002 NO CODE

5:05 PM NITEL SEPTEMBER 26, 1975 LFJ

TO DIRECTOR, FBI (62-109060)

ATTENTION: SA WILLIAM NETTLES
INVESTIGATIVE DIVISION

FROM NEW ORLEANS (89-69)

ASSASSINATION OF PRESIDENT KENNEDY, NOVEMBER 22, 1963, DALLAS, TEXAS.

RE NEW ORLEANS TELCALL TO BUREAU SEPTEMBER 26, 1975.

AT 10:30 AM, SEPTEMBER 26, 1975, RICHARD BERGER, FORMER CLERK, NEW ORLEANS DIVISION (1965) TELEPHONICALLY CONTACTED THIS OFFICE TO ADVISE THAT HE WAS HIMSELF TELEPHONICALLY CONTACTED EARLIER THIS DATE BY AN UNKNOWN REPORTER AND QUESTIONED IN REFERENCE TO A POSSIBLE NOTE RECEIVED BY THE BUREAU PRIOR TO THE DEATH OF PRESIDENT KENNEDY WARNING OF HIS IMPENDING DEATH. BERGER ADVISED THAT HE WOULD LIKE SOMEONE TO CONTACT HIM BEFORE GIVING ANY ANSWERS TO THE PRESS. HE CAN BE CONTACTED AT 504-947-4358. EX-106

REC-24 62-109060-7294

AT 11:45 AM, SEPTEMBER 26, 1975, MRS. CINDY LAINE HEBBLER ALSO A FORMER CLERICAL EMPLOYEE OF THE NEW ORLEANS

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DIVISION TELEPHONICALLY CONTACTED THIS OFFICE AND ADVISED THAT SHE HAD JUST RECEIVED A LONG DISTANCE TELEPHONE CALL FROM AN INDIVIDUAL IDENTIFYING HIMSELF AS BEING A REPRESENTATIVE OF CBS NEWS WHO INFORMED HER THAT DAN RATHER WAS PRODUCING A SHOW REGARDING CAPTIONED MATTER FOR THE COMING SEASON. SHE WAS ADVISED BY THE CALLER THAT "THEY" HAD A LIST OF CLERKS THEY WERE CALLING FOR INFORMATION AND QUESTIONED HER THOROUGHLY INCLUDING ASKING WHETHER SHE HAD BEEN AWARE OF A TELETYPE COMING TO THE NEW ORLEANS DIVISION ALERTING NEW ORLEANS TO THE ASSASSINATION OF PRESIDENT KENNEDY. SHE GAVE NO AFFIRMATIVE ANSWERS TO ANY OF THE QUESTIONS ASKED OF HER. MRS. HEBBLER DID NOT KNOW HOW CBS NEWS GOT HER NAME OR TELEPHONE NUMBER AS SHE MARRIED SOMETIME AFTER LEAVING THE BUREAU. SHE CAN BE REACHED AT TELEPHONE NUMBER 504-944-0937 FOR ANY FURTHER INFORMATION.

IT HAS SUBSEQUENTLY BEEN DETERMINED FROM MRS. HERBLER THAT A REPRESENTATIVE OF CBS NEWS TELEPHONICALLY CONTACTED ONE OF HER RELATIVES AND OBTAINED HER CURRENT NAME AND TELEPHONE NUMBER.

END MESSAGE...

Assoc. Dir. ____
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Dep. A.D.-Inv. ____
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NR 001 BT PLAIN

6-02 PM URGENT SEPTEMBER 28, 1975 FLC

TO DIRECTOR

FROM BUTTE

ATTENTION : GID

ASSASSINATION OF PRESIDENT JOHN F. KENNEDY, NOVEMBER 22, 1963, DALLAS, TEXAS.

REBUTEL SEPT. 27, 1975.

BUTTE FILES CONTAIN NO COPY BUREAU TEL NOVEMBER 17, 1963 OR ANY SIMILAR TEL.

END

P

WGM FBIHQ CLR

REC-24 E 103

62-109060-7295

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FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

SEP 29 1975

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NR002 AQ PLAIN

9:45PM WITEL 9-28-75 FXH

TO: DIRECTOR

FROM: ALBUQUERQUE

ASSASSINATION OF PRESIDENT JOHN F. KENNEDY, 11/22/63, DALLAS, TEXAS.

RE BUREAU ALL SACS DATED 9-27-75.

REVIEW OF ALL LOGICAL FILES IN THE ALBUQUERQUE DIVISION FAIL TO REFLECT ANY TELETYPE OR OTHER COMMUNICATION CONTAINING INFORMATION SET FORTH IN RETEL.

END

REC-6 62-109060-7296

WGM FBIHQ CLR

5 OCT 1 1975

EX-104

7 OCT 14 1975

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SEP 29 1975

TELETYPE

NR 001 KX PLAIN

2:04 PM URGENT 9-26-75 RCC

TO DIRECTOR (ATTENTION GENERAL INVESTIGATIVE DIVISION)

FROM KNOXVILLE 89-27

ASSASSINATION OF PRESIDENT JOHN F. KENNEDY, 11-22-63, DALLAS, TEXAS.

RE BUTEL 9-27-75.

REQUESTED SEARCH OF FILES CONDUCTED WITH NEGATIVE RESULTS IN LOCATING COMMUNICATION SIMILAR TO TELETYPE DESCRIBED RE TEL.

END.

MAH FBIHQ ACK FOR ONE

WA CLR

EX-108

REC-1 62-109060-7297

5 SEP 30 1975

5 OCT 14 1975

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SEP 26 1975

TELETYPE

NR001 DN PLAIN

12:53PM U R G E N T SEPT 26, 1975 DXF

TO DIRECTOR

FROM DENVER (175-NEW) (RUC)

ATTN: GENERAL INVESTIGATIVE DIVISION

ASSASSINATION OF PRESIDENT JOHN F. KENNEDY, NOV. 22, 1963,
DALLAS, TEXAS.

RE BUTELETYPE TO ALL SAC'S, SEPT 27, 1975.

REVIEW OF DENVER FILES FAILS TO DISCLOSE EXISTENCE OF ALLEGED TELETYPE DATED NOV. 17, 1963.

END

EX-108

REC-1 62-109060-7298

5 SEP 30 1975

5 OCT 14 1975

ATLANTA

SEP 28 1975

NR 005 AT PLAIN

1:24 PM URGENT SEPTEMBER 28, 1975 TLL

TO: DIRECTOR, FBI

FROM: ATLANTA (89-45) (C)

ATTN: SID.

ASSASSINATION OF PRESIDENT JOHN F. KENNEDY, NOVEMBER 22, 1963, DALLAS, TEXAS.

RE BUTEL TO ALL SACS, SEPTEMBER 27, 1975.

ON SEPTEMBER 28, 1975, ATLANTA INDICES AND THE FOLLOWING ATLANTA FILES WERE REVIEWED AS INSTRUCTED IN REBUTEL:

62-0, 89-0, 89-00, 89-45 (BUFILE 62-109060), "ASSASSINATION OF PRESIDENT JOHN F. KENNEDY, NOVEMBER 22, 1963, DALLAS TEXAS"; 105-3199, (BUFILE 62-109119), "TROPUS"; 105-3193 (BUFILE 105-82555) "LEE HARVEY OSWALD, IS-R; 44-1559 (BUFILE 44-24016) "JACK L. RUBY, AKA; LEE HARVEY OSWALD, AKA-VICTIM; CR. 00: DALLAS."

ATLANTA FILES CONTAIN NO IDENTIFIABLE RECORD OF TELETYPE MENTIONED IN REBUTEL.

END

PLS HOLD FOR RELEY

EX-108

REC-1 62-109060-7299

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Director Sec'y ___

PLAINTEXT TELETYPE URGENT

1 - Mr. Callahan
1 - Mr. Adams
1 - Mr. Jenkins
1 - Mr. Gallagher
1 - Mr. O'Connell 9/27/75
1 - Mr. Cooke
1 - Mr. Nettles
1 - Each Assistant Director

TO ALL SACS

FROM DIRECTOR FBI

ASSASSINATION OF PRESIDENT JOHN F. KENNEDY, 11/22/63, DALLAS, TEXAS.

RECENT ALLEGATIONS HAVE BEEN RECEIVED THAT A TELETYPE WAS SENT FROM FBIHQ TO ALL SACS ON 11/17/63, WHICH WAS ENTITLED "THREAT TO ASSASSINATE PRESIDENT KENNEDY IN DALLAS, TEXAS, MISCELLANEOUS INFORMATION CONCERNING." THIS ALLEGED TELETYPE REPORTEDLY STATED THAT INFORMATION HAD BEEN RECEIVED THAT A MILITANT REVOLUTIONARY GROUP MAY ATTEMPT TO ASSASSINATE PRESIDENT KENNEDY ON HIS PROPOSED TRIP TO DALLAS, TEXAS. IT CONTAINED INSTRUCTIONS FOR OFFICES TO IMMEDIATELY CONTACT INFORMANTS AND ADVISE THE BUREAU OF ALL DEVELOPMENTS.

FBIHQ FILES CONTAIN NO IDENTIFIABLE RECORD OF SUCH A TELETYPE. ST 114 REC-14 62-109060-7300

ALL OFFICES SEARCH INDICES AND 62-0, 89-0, AND ANY OTHER LOGICAL FILES FOR THE MONTHS OF OCTOBER, NOVEMBER, AND DECEMBER, 1963, FOR ANY INDICATION OF SUCH A TELETYPE BEING RECEIVED. 15 OCT 1 1975

RECONCILE ANY SKIPS IN SERIALIZATION. ADVISE FBIHQ OF ANY

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Director Sec'y ___

NOTE: This teletype being sent per instructions of Deputy Associate Director James B. Adams, 9/27/75.

WEN:cjl (21)

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION
SEP 27 1975
TELETYPE

OCT 14 1975

MAIL ROOM ☐ TELETYPE UNIT ☑

Name is from Jim Guild [illegible] New Orleans [illegible] prevent getting [illegible] check [illegible] 9/29/75 [illegible] attn. [illegible] file. 62-109060 D

PAGE TWO

SIMILAR TELETYPES RECEIVED.

SUTEL RESULTS TO FBIHQ, ATTENTION GENERAL INVESTIGATIVE DIVISION BY MIDNIGHT 9/28/75.

END.

SEP 28 1975

TELETYPE

NR 001 NH PLAINTEXT

9:40 AM WITEL 9/28/75 RG

TO: DIRECTOR, FBI ATTN. GENERAL INVESTIGATIVE DIVISION.

FROM: NEW HAVEN

ASSASSINATION OF PRESIDENT JOHN F. KENNEDY, 11/22/63, DALLAS, TEXAS.

RE BUTEL 9/27/75 TO ALL SACS.

NEW HAVEN FILES CONTAIN NO IDENTIFIABLE INFORMATION AS REQUESTED IN REFERENCE BUREAU TELETYPE.

END

MAH FBIHQA ACK FOR ONE
WA CLR

ST. 114
REC-14 10-1060 - 301

8 OCT 1 1975

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FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

SEP 29 1975

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Director Sec'y ____

NR012 CG PLAIN

336PM URGENT 9/29/75 EMM

TO DIRECTOR

FROM CHICAGO (RUC)

ATTN GID

ASSASSINATION OF PRESIDENT JOHN F. KENNEDY, NOVEMBER 22, 1963, DALLAS, TEXAS.

REURTEL TO ALL OFFICES, SEPTEMBER 29, 1975.

A CHECK OF INDICES, 62-0, 89-0, AND RELATED FILES 62-6115 AND 62-6164, WAS NEGATIVE RE A TEL FROM FBIHQ, DATED NOVEMBER 17, 1963, RELATING THAT A MILITANT REVOLUTIONARY GROUP MAY ATTEMPT TO ASSASSINATE PRESIDENT JOHN F. KENNEDY.

REC-65 62-1060-7302

END.

LER FBIHQ CLR

5 SEP 30 1975

5 OCT 16 1975

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September 29, 1975

MR. CALLAHAN

Attached is a 27-page report together with the neces enclosures covering our inquiries to date regarding the Oswald situation.

Initially we felt that the safest way to handle this wo be interviewing everyone who was assigned to Dallas at the time the assassination. We feel now that while it still might be the s way we doubt if any pertinent information will be developed since we have interviewed, in our opinion, all logical individuals with one possible exception. You will note in the first paragraph on page 12 concerning an interview with Special Agent J. V. Almon, he has a vague recollection that former Investigative Clerk Robert G. Renfro had either handled or seen the note in question. Frankly, we have serious doubts as to how much this information might be worth since Almon was considered to be a Dallas Office busybody prior to the time he was transferred to Denver. Nevertheless if there is no objection we will make arrangements to have him located and interviewed probably by SAC, Dallas, if our information is correct that he is still in that city.

In order to save time in reading this report the first 14 pages have already been read by you since they comprised what was then going to be our report to the Department but then we conducted additional interviews.

We will wait your instructions as to what course of action we should take at this point. However, it is our recommendation that we go ahead and give this report to the Department and after their review sit down with them for further discussion.

REC-87 7302X

1 - ENCLOSURE

ST 109 H. N. Bassett 18 NOV 18 1976

Single — Send it to the Dept. [illegible]

70 DEC 1 1976

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

SEP 29 1975

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Director Sec'y

MR. WILES
5048 JEH

TO: DIRECTOR, FBI

ATTN: GENERAL INVESTIGATION DIVISION

FROM: LOUISVILLE (89-63) (63)

ASSASSINATION OF PRESIDENT JOHN F. KENNEDY, 11/22/63,

DALLAS, TEXAS.

RE BUTEL 9/27/75.

SEARCH OF SUBSTANTIVE AND COMPANION FILES AS WELL AS

62-0 AND 89-0 FOR THREE MONTH PERIOD OCTOBER - DECEMBER,

1963 COMPLETED. NO UNACCOUNTED FOR SERIALS. NO REFERENCE

LOCATED INDICATING EXISTENCE OF ANY BUTEL CONCERNING

THREAT TO PRESIDENT AT DALLAS PREDATING ASSASSINATION.

END.

GHS FBIHQ FOR ARHOOD FOR QR 1

ST 114 REC-9 62-109060-7303

SEP 30 1975

OCT 16 1975

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

SEP 29 1975

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Director Sec'y

1 page

NR 001 HN PLAIN

AM 12:42 AM HST URGENT SEPTEMBER 29, 1975 GBM

TO: DIRECTOR

FROM: HONOLULU (62-502)

C

ASSASSINATION OF PRESIDENT JOHN F. KENNEDY, NOVEMBER 22, 1963,
DALLAS, TEXAS.

RE BUREAU TELETYPE, SEPTEMBER 27, 1975.

HONOLULU FILES REVIEWED, AND NO COMMUNICATIONS LOCATED SIMILAR TO THAT DESCRIBED IN RETEL.

END

MWW FBI WASH DC

REC-65 62-109060-7304

EX-114

5 SEP 30 1975

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8 OCT 15 1975

SEP 28 1975

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WR001 EP PLAINTEXT

3:27 PM WITEL 9-28-75 MJT

TO: DIRECTOR

ATTN: GENERAL INVESTIGATIVE DIVISION

FROM: EL PASO

ASSASSINATION OF PRESIDENT JOHN F. KENNEDY, NOVEMBER 22, 1963, DALLAS TEXAS.

RE DIRECTOR ALL SAC TELETYPE, SEPTEMBER 27, 197

INTENSIVE REVIEW OF INDICES, 62-0, 89-0 AND OTHER LOGICAL AND RELATED FILES IN THE EL PASO DIVISION FAIL TO REVEAL ANY COMMUNICATION REMOTELY RESEMBLING ALLEGED TELETYPE FR FBIHQ TO ALL SACS, NOVEMBER 17, 1963.

END

62-109060-7305

WGM FBIHQ CLR

SEP 30 1975

OCT 15 1975

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NR001 TP PLAIN

730 PM URGENT SEPTEMBER 28, 1975 ALS

TO DIRECTOR

FROM TAMPA (62-455) (RUC)

ATTENTION: GENERAL INVESTIGATIVE DIVISION

ASSASSINATION OF PRESIDENT JOHN F. KENNEDY, 11/22/63, DALLAS, TEXAS.

RE BUTEL TO ALL SACS, SEPTEMBER 27, 1975.

TAMPA HAS COMPLETED REVIEW OF ALL FILES LOCATED IN INDICES SEARCH HAVING ANY REFERENCE TO PRESIDENT KENNEDY, AS WELL AS 62-0, 89-0, 175-0, AND ALL LOGICAL 157 FILES, FOR MONTHS OF OCTOBER, NOVEMBER, AND DECEMBER, 1963. TAMPA UNABLE TO LOCATE ANY TELETYPE SENT FROM FBIHQ TO ALL SACS ON 11/17/63, ENTITLED, "THREAT TO ASSASSINATE PRESIDENT KENNEDY IN DALLAS, TEXAS, MISCELLANEOUS INFORMATION CONCERNING." 62-109060-7306

TAMPA DID HAVE MAIN FILE CONCERNING VISIT OF PRESIDENT KENNEDY TO TAMPA JUST PRIOR TO HIS DALLAS TRIP (62-449) BUFILE (109-584), PERTINENT INFORMATION FROM WHICH WAS FURNISHED BUREAU IN TELEPHONE CALL ON SEPTEMBER 28, 1975. THIS FILE WAS THOROUGHLY REVIEWED AND DID NOT CONTAIN THE ABOVE TELETYPE.

SEP 30 1975

SKIPS IN SERIALIZATION IN ALL FILES REVIEWED RECONCILED.

END

38 OCT 15 1975

WGM FBIHQ CLR

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

SEP 28 1975

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NR001 AX PLAIN

4:58PM U R G E N T SEPTEMBER 28, 1975 WMN

TO DIRECTOR, FBI (ATTN: GENERAL INVESTIGATIVE DIVISION)

FROM SAC, ALEXANDRIA (175-0)

ASSASSINATION OF PRESIDENT JOHN F. KENNEDY, NOVEMBER 22, 1963, DALLAS, TEXAS.

RE BUREAU TELETYPE TO ALL SACS, SEPTEMBER 27, 1975.

IN VIEW OF THE FACT THE ALEXANDRIA DIVISION WAS NOT ESTABLISHED UNTIL MAY, 1969, THERE IS NO MAIN FILE IN THIS DIVISION REGARDING THE ASSASSINATION. WHEN THE DIVISION WAS ESTABLISHED, A FEW FILES DATING BACK TO 1963 AND PRIMARILY DEALING WITH EXTREMIST MATTERS WERE TRANSFERED FROM THE RICHMOND DIVISION. THESE FILES HAVE BEEN REVIEWED WITH NEGATIVE RESULTS REGARDING THE ALLEGED TELETYPE.

END.

WGM FBIHQ CLR

REC-65 62-109060-7307

EX-110

29 SEP 30 1975

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9 OCT 15 1975

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

SEP 28 1975

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WR 002 SC PLAIN

4:23 PM NITEL SEPTEMBER 28, 1975 CJG

TO: DIRECTOR, FBI

FROM: SACRAMENTO (175-0)

ASSASSINATION OF PRESIDENT JOHN F. KENNEDY, NOVEMBER 22, 1963, DALLAS, TEXAS.

RE BUTEL, DATED SEPTEMBER 27, 1975.

SACRAMENTO INDICES CONTAIN NO INFORMATION CONCERNING BUTEL, DATED NOVEMBER 17, 1963, WHICH WAS ALLEDGED TO BE SENT TO ALL OFFICES. REVIEW OF 62-0, 89-0, AND 175-0 CONTAINS NO REFERENCE TO TELETYPE, DATED NOVEMBER 17, 1963.

IT IS TO BE NOTED THAT SACRAMENTO WAS A RESIDENT AGENCE OUT OF THE SAN FRANCISCO DIVISION IN 1963.

END.

HOLD

REC-65 62-107060-7308

EX-114

5 SEP 30 1975

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5 OCT 14 1975

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

SEP 27 1975

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NR002 PG PLAIN

11:00PM URGENT SEPTEMBER WUN GOUT FJB

TO DIRECTOR

FROM PITTSBURGH (62-2931)

ATTENTION: GENERAL INVESTIGATIVE DIVISION

ASSASSINATION OF PRESIDENT JOHN F. KENNEDY, 11/22/63, DALLAS TEXAS.

RE BUTEL TODAY CAPTIONED AS ABOVE.

REVIEW OF ALL LOGICAL PITTSBURGH FILES FAILED TO REVEAL EXISTENCE OF ANY TELETYPE SUCH AS DESCRIBED IN RE BUTEL.

END.

HOLD PLS

EJF FBIHQ 1.

62-109060-7309

REC-65

5 SEP 30 1975

5 OCT 14 1975

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

SEP 28 1975

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MR 001 BA PLAIN
957 AM URGENT 9-28-75 TJH
TO DIRECTOR

FROM BALTIMORE 89-36

ATTN: GENERAL INVESTIGATIVE DIVISION

ASSASINATION OF PRESIDENT JOHN F. KENNEDY, NOV 22, 1963, DALLAS, TEXAS.

REBUTEL SEP 27, 1975.

A SEARCH OF BALTIMORE INDICES AND FILES CONDUCTED, HOWEVER, NO BUREAU TELETYPE DATED NOVEMBER 17, 1963 RE CAPTIONED MATTER COULD BE LOCATED.

END

EX-110

REC-14 62-109060-7310

XXXX MAH FBIHQ ACK FOR ONE

WA CLR

EX OCT 1 1975

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230

EX OCT 15 1975

NR001 CO PLAIN

11:11AM URGENT SEPTEMBER 28, 1975 NOR

TO DIRECTOR, FBI

ATTENTION: GENERAL INVESTIGATIVE DIVISION

FROM COLUMBIA

ASSASSINATION OF PRESIDENT JOHN F. KENNEDY, 11/22/63 DALLAS, TEXAS.

RE FBIHQ TELETYPE 9/27/75.

INDICES NEGATIVE RE RECEIPT OF TELETYPE FROM FBIHQ TO ALL SAC DATED 11/16/63, ENTITLED "THREAT TO ASSASSINATE PRESIDENT KENNEDY IN DALLAS, TEXAS, MISCELLANEOUS INFORMATION CONCERNING" IN COLUMBIA OFFICE. NOTED COLUMBIA DIVISION OPENED IN DECEMBER, 1965.

END

MAH FBIHQ ACK FOR ONE

WA CLR

REC-14 62-109060-7311

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FBI OCT 15 1975

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NR001 BU PLAIN

11:58AM URGENT SEPTEMBER 27, 1975 TELETYPE

TO DIRECTOR, FBI

ATTENTION: GENERAL INVESTIGATIVE DIVISION

FROM BUFFALO (62-1827) 1P

ASSASSINATION OF PRESIDENT JOHN F. KENNEDY,

NOVEMBER 22, 1963, DALLAS, TEXAS

RE BUREAU TEL TO ALL SACS SEPTEMBER 27, 1975.

SEARCH OF INDICES, 62-0, 89-0, AND OTHER LOGICAL FILES FOR MONTHS OF OCTOBER, NOVEMBER, AND DECEMBER, 1963, CONDUCTED BY BUFFALO OFFICE AND NO INDICATION OF A TELETYPE BEING RECEIVED BY BUFFALO OFFICE FROM FBIHQ TO ALL SACS ON NOVEMBER 17, 1963 ENTITLED "THREAT TO ASSASSINATE PRESIDENT KENNEDY IN DALLAS, TEXAS, MISCELLANEOUS INFORMATION CONCERNING."

END

SI 114

REC-14 62-109060-7310

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SEP 1975

SEP 28 1975

TELETYPE

NR 012 MM PLAIN

2:39 PM URGENT SEPTEMBER 28, 1975 MST

TO DIRECTOR

FROM MIAMI (89-35) (RUC)

ATTENTION: GENERAL INVESTIGATIVE DIVISION

ASSASSINATION OF PRESIDENT JOHN F. KENNEDY;

11/22/63; DALLAS, TEXAS

RE BUTEL ALL SACS DATED 9/27/75

FILES MIAMI DIVISION CONTAIN NO IDENTIFIABLE RECORD OF ANY SUCH TELETYPE AS DESCRIBED IN RETEL.

END

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Director Sec'y

REC-14 62-109060-1313

EX-110

58 OCT 15 1975

OCT 01 1975

TELETYPE

WMFO PLAIN

7:5[illegible] NITEL OCT 1,1975 JMF

TO DIRECTOR, FBI (62-109060)

FROM SAC, NEW ORLEANS (89-69)

ATTN: SA WILLAIM NETTLES, INVESTIGATIVE DIVISION.

ASSASSINATION OF PRESIDENT JOHN F. KENNEDY, NOV. 22,1963,

DALLAS, TEXAS.

RE NEW ORLEANS NITEL TO DIRECTOR, SEPT 26,1975, TELETYPE FROM DIRECTOR TO ALL SACS, SEPT 27,1975 AND BUREAU TELCALL TO NEW ORLEANS SEPT 29,1975.

ON SEPT 29,1975, FORMER SA REGIS KENNEDY TELEPHONICALLY CONTACTED THE NEW ORLEANS DIVISION AND ADVISED HE HAD RECIEVED A TELEPHONE CALL THAT DATE FROM A MR. PHILLIPS FROM CBS NEWS, NEW YORK. HE WANTED TO INTERVIEW KENNEDY ON TELEVISION REGARDING TELETYPE CONCERNING THE ASSASSINATION OF PRESIDENT KENNEDY WHICH ALLEGEDLY HAD BEEN RECIEVED PRIOR TO KENNEDY'S ASSASSINATION, ALERTING FBI OFFICES TO THE POSSIBLE ATTEMPT TO ASSASSINATE KENNEDY. ACCORDING TO KENNEDY, PHILLIPS INFORMED HIM THAT BILLY WALTER HAS A COPY OF THE TELETYPE. FORMER SA KENNEDY INFORMED PHILLIPS THAT HE KNEW NOTHING ABOUT ANY SUCH TELETYPE AND WOULD NOT COMMENT

REC-11 62-109060-7314

OCT 8 1975

EX-112

6-WFO

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Director Sec'y

PAGE TWO NO 89-69

TO AN INTERVIEW.

ON SEPT 29,1975, BETTY N KENDRICK, WHO WAS FORMERLY EMPLOYED AS A SECRETARY IN THE NEW ORLEANS DIVISION, TELEPHONICALLY ADVISED THAT HER HUSBAND, KEN KENDRICK, ALSO A FORMER CLERICAL EMPLOYEE, HAD RECIEVED AN INQUIRY FROM A DALLAS REPORTER IN REFERENCE TO A TELETYPE BILL WALTER SAID WAS RECIEVED BY THE NEW ORLEANS OFFICE PRIOR TO THE ASSASSINATION OF PRESIDENT KENNEDY. MRS. KENDRICK FURTHER STATED THAT THE REPORTER HAD INDICATED THAT HE HAD CONTACTED FORMER EMPLOYEES, TOM MC CURLEY AND ROY E. SIMON, RELATIVE TO THE SAME MATTER. MRS. KENDRICK BELIEVED THAT THE REPORTER WAS EMPLOYED AT THE DALLAS TRIBUNE. MRS. KENDRICK CAN BE CONTACTED AT 504-887-9437.

ADDITIONAL REVIEWS OF THE NEW ORLEANS FILES 89-[illegible] AND 89-69 FAIL TO LOCATE ANY TELETYPE CONTAINING THE NOTATIONS IN THE LOWER RIGHT HAND CORNER: HARRY MAYNOR, MILTON KAACK, WARREN DE BRUEYS, ERNEST HALL, JR., AND WOODROW GILMORE, NEITHER COULD A TELETYPE BE LOCATED PERTAINING TO THE KENNEDY ASSASSINATION WITH THE NAME FURMAN BOSGEN.

END MESSAGE.

LSG TRIP ACK FOR ONE AND HOLD FOR ONE

The Attorney General

October 1, 1975

FEDERAL GOVERNMENT

Director, FBI

ASSASSINATION OF PRESIDENT JOHN F. KENNEDY

Reference is made to my memorandum of July 29, 1975, captioned as above, which advised you of the results of this Bureau's preliminary inquiry concerning an allegation that Lee Harvey Oswald had visited the FBI office in Dallas sometime prior to the assassination of President Kennedy for the purpose of talking to Special Agent James P. Hosty, Jr. In the absence of Mr. Hosty, Oswald allegedly left a note which was threatening in nature. Also, that this visit and note were not reported following the assassination of President Kennedy by Oswald.

As a matter of background, in my absence from the city, Messrs. Callahan, Adams and Bassett met with Deputy Attorney General Tyler on August 29, 1975. At this meeting Mr. Tyler was advised that in accordance with the feeling of the Department, after a thorough review of my memorandum of July 29, 1975, we anticipated conducting approximately six additional interviews of individuals who were either currently in the Bureau or who had been in the Bureau. Mr. Tyler was in agreement with this course of action. This meeting was later attended by Assistant Attorney General Thornburg and he too subscribed to the additional interviews. He was also in agreement that each person interviewed be furnished a waiver of rights and that the interviews be recorded by sworn statement.

Later in the afternoon on the same day Mr. Adams was advised that the Dallas "Times Herald" newspaper intended to publish a story in connection with the aforementioned allegation and they desired a statement from this Bureau. The proposed statement was prepared and the Deputy Attorney General was advised of the content of this proposed press release. Late in the evening of August 30, 1975, the Bureau learned of the text of the proposed article to appear in the August 31, 1975, issue of the Dallas "Times Herald" (a copy of this

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HNB:bhg
(7)

COPIES FOR AG AT DAG DELIVERED TO IDA CLARK IN OFFICE OF MR. KOSHLAND 10:45 am 10/2/75 BG

COPY FOR AAG DOYLE TO MIMI ZASADNY, ARLINGTON

MAIL ROOM ☐ TELETYPE UNIT ☐

SI 109

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article is attached). At that point it became apparent that our inquiry would probably have to go beyond six individuals but in any event there would be a logical reason for interviewing anyone beyond the initial six.

Inquiry was conducted by Assistant Director Harold N. Bassett, Inspector - Deputy Assistant Director J. Allison Conley, Inspector Edgar N. Best, all of the Inspection Division; and Special Agents in Charge Philip A. McNiff of the New York Office; Francis M. Mullen, Jr., of the Tampa Office; and Arthur F. Nehrbass of our Jacksonville Office. They all met in Dallas, Texas, on the evening of September 1, 1975, and there followed a thorough briefing concerning the information which had been developed to date.

Unless specifically advised to the contrary, all individuals mentioned herein who were interviewed furnished a signed Interrogation; Advice of Rights form and their interview was recorded by sworn statement. Copies of these statements are attached.

Mrs. Nannie Lee Fenner was reinterviewed on September 2, 1975. She stated that the statement which she initially furnished on July 15, 1975, is accurate within the bounds of her recollection. She categorically stated that the note which she received from Oswald made absolutely no mention concerning President Kennedy. It is her recollection that the note was handwritten, which she described as a large scrawl, very childlike in nature. She indicated that on giving this matter additional thought she was now of the opinion that Miss Helen May may have seen Oswald as he was departing the office after he delivered the note. It may be recalled that in Mrs. Fenner's initial statement of July 15, 1975, she advised that she had shown the note in question to Joe Pearce.

On September 5, 1975, an additional statement was taken from Mrs. Fenner and at this time she advised that it is her clear recollection that Pearce did not see the Oswald note but that he had the envelope and/or letter in his hand and she is certain now that he did not read the letter. She claimed that she told Pearce that "some nut" had left the letter and he merely picked it up and laid it down.

Miss Helen Lee May was reinterviewed on September 2, 1975, and she categorically denied ever seeing Oswald at any time or ever seeing

the note or letter which he delivered. She did recall that sometime subsequent to the assassination Mrs. Fenner again brought up the subject of the Oswald note and stated that Clark (former ASAC Kyle Clark) had told her to forget about it.

Miss Marian F. Roberts, former secretary to former SAC Gordon Shanklin, was interviewed on September 6, 1975, in Sun City, Arizona. She advised that she was aware that Oswald had appeared at the reception desk of the Dallas Office and left a note with Mrs. Fenner for SA Hosty prior to the assassination of President Kennedy. She stated that she had never seen the note and was not aware of its contents although she had heard the letter wanted Hosty to stop harassing Oswald's wife. She related that she recalled entering the Dallas Office at about the same time that Helen May was entering at approximately midday. To her recollection this was a few weeks before the assassination and she and Miss May saw a slender, dark haired, young man hand something to Mrs. Fenner. This was not significant to her at the time; however, following the assassination Helen May said something to her to the effect, "You remember, Marian, we were coming into the office about the time Oswald handed Fenner the note." She stated that after she saw pictures of Oswald after the assassination she can easily assume that he was the individual she saw hand something to Mrs. Fenner. She recalled that on the same day she observed this person Mrs. Fenner told her a short time later a man had left a note for Hosty to quit bothering his wife. She said that Mrs. Fenner told her the man did not say much but he was "teed off" at Hosty. This, according to Miss Roberts, tended to further her belief that the man she and Miss May saw was Oswald. She said, in her opinion, Oswald's appearance in the Dallas Office and the note he left for Hosty were common knowledge among Dallas Office personnel who were there at the time of the assassination. She stated that after the assassination she heard from an unrecalled source that it was decided to destroy the note but she does not know who made this decision to have the note destroyed. She stated she recognized the importance of the note after she heard of the decision to destroy it.

In addition to the above, Miss Roberts also furnished the following information but refused to furnish it in a sworn statement since she considered it hearsay and she had no firsthand knowledge of same. She stated that there was some talk around the office of a meeting held one evening by the Dallas Office "brass" to decide what to do with the note. She recalled that this meeting took place one or two days after the

assassination and by "brass" she meant SAC Shanklin, ASAC Clark and Mr. Malley (James R. Malley, former Number One Man to the Assistant Director, General Investigative Division). She did not know who furnished this information to her.

SA Charles T. Brown, Jr., was interviewed on September 5, 1975. He advised that his first knowledge of the note reportedly left at the Dallas Office by Oswald came about through a conversation at some time in the early part of 1964 with Special Agent Vince Drain. He advised that he and Drain were discussing Oswald's motive and mental condition which would cause him to do what he did and in talking to Drain along this vein the latter advised that Oswald had left a note at the office prior to the assassination in which note Oswald stated that if the FBI did not stop harassing his wife he would blow up the FBI and the Dallas Police Department. He said that he was so shocked and angered at this revelation that he did not press further as to the disposition of the note and to this date he does not know what disposition was made of it. He advised that in discussing receipt of this note Drain advised that Mrs. Fenner and Joe Pearce, who was then a clerk in the office, were present in the reception room at the time Oswald appeared in the office with the note. According to Brown, at no time did Drain advise him as to the identity of his source of the information. Brown also advised that he participated on two occasions with interviews with Marina Oswald subsequent to the assassination and on neither occasion did she mention that Oswald had informed her of a visit to the Dallas Office prior to the assassination.

On September 5, 1975, SA Joe A. Pearce was reinterviewed. He categorically denied that he ever saw Lee Harvey Oswald, that he had ever had in his hands or in his possession any note left by Oswald and that he had ever read any note left by him. He said that after deliberating on the matter since his prior affidavit of July 22, 1975, he recalled that there were several discussions in the latter part of the 1960s concerning a note left by Oswald for Hosty. During some of these discussions Mrs. Fenner remarked to others in his presence that Pearce had seen the note. He admitted that he did not contradict the statement and explains his failure to do so on his lack of appreciation of the seriousness of what she was communicating to the people involved.

SA Vincent E. Drain was interviewed on September 2, 1975. He advised that the extent of his knowledge concerning the matter was as

as follows. He claimed that approximately six years ago Mrs. Fenner was in the Agents' squad room and she spoke to Drain about Oswald's visit to the Dallas Office prior to the assassination. According to Drain, she said that Oswald was mad at SA Hosty for interviewing his wife. She said that Hosty was not in the office and Oswald left a letter for him. He claimed that to the best of his memory she did not mention the contents of the letter and he did not question her about it or pursue the conversation further. He said this is the first knowledge he had of Oswald either visiting the office or leaving a letter and that he heard no further comment concerning the incident until he read the newspaper story on August 31, 1975.

On September 3, 1975, Drain was reinterviewed in view of certain conflicts as furnished in his first statement. In this second statement he in effect stands on his first statement.

Mrs. Martha Ann Campbell, formerly Martha Ann Connally, was interviewed on September 3, 1975. She is no longer employed in the Bureau but at the time of the assassination was serving as the secretary to Supervisor Kenneth C. Howe. She advised that within a week after the assassination she was in the "Coke room" on the twelfth floor of the FBI space taking a break with one or two other female clerical employees. One employee was Mrs. Fenner and she can't recall the other. She recalled Mrs. Fenner making a statement that Oswald came to the office looking for Agent Hosty and was very upset because Hosty had been interviewing Marina Oswald. Hosty was not in the office and Oswald left a note. Mrs. Campbell stated she was surprised to hear this and immediately after leaving the room she went into Supervisor Howe's office and told him what she had heard. She said that she can't recall his reaction but he asked her who had told her this and who was present. She told him Mrs. Fenner but can't recall the other persons present. She said that upon hearing Fenner's name Howe made a "face" and Howe told her that she was not to discuss the visit or note any more and it was emphatic enough that she followed his instruction. She said that she had enough sense to realize that something was being held back at that time but she said nothing about it. Continuing, Mrs. Campbell

advised that she cannot recall the full conversation with Supervisor Howe but it would have been either he or Mrs. Fenner who at that time mentioned the note Oswald left was then in Agent Hosty's workbox. She stated she cannot recall ever hearing what actually happened to the note but she had the feeling it was destroyed.

On September 4, 1975, Mrs. Campbell was reinterviewed, results of which were reported by FD-302. In reference to her above statement she cannot be positive whether it was in fact Mrs. Fenner who had furnished the information to her but it was her feeling that Fenner was the one who told her of the letter but she is not as certain of this as she is of the fact that Fenner was present during the conversation relating to Oswald's visit and leaving of the note. She was unable to furnish the identity of any other individuals present. This reinterview of Mrs. Campbell was occasioned by the fact that Mrs. Fenner orally advised that she never took a break and never went to the "Coke room" and also for the purpose of Mrs. Campbell reviewing the office roster at the time of the assassination in an effort to determine if she could recall the other employee who was present.

On August 31, 1975, Tom Johnson, publisher of the Dallas "Times Herald" telephonically contacted Assistant to the Director - Deputy Associate Director (Investigation) James B. Adams. It should be noted that Johnson was identified as the writer of the article appearing in the August 31, 1975, issue of the Dallas "Times Herald" referred to previously. Johnson advised that on that date he received an anonymous telephone call from a female. This individual called at 10:50 a.m., Dallas time and made reference to the article which appeared in that day's issue of the Dallas "Times Herald." She told Mr. Johnson that "Not everyone in Dallas knew about it and she thinks it unfair to leave the impression that many of the men knew about it. In case you are interested, Mr. Hosty destroyed the note on orders of Mr. Howe. Mr. Gemberling was handling the case. Mr. Bill Anderton and Mr. Horton also know of it. Mr. Gemberling knew about the note and saw it but it was destroyed on instructions of Mr. Howe." Subsequently, on this same date, this anonymous caller identified Mr. Horton as Urial Horton. Mr. Johnson advised that he was furnishing this information only for the purpose of asking for confirmation as to whether the information is correct before publication. Mr. Adams informed Mr. Johnson that his request would be noted; however, as previously stated in Mr. Kelley's press release concerning this situation no additional comment would be made by the

FBI until all inquiries had been completed and the matter considered by the Department.

At the time of this current inquiry SA Robert P. Gemberling was on sick leave, having been diagnosed by his doctor on August 2, 1975, as having had a heart attack. In the absence of obtaining clearance from his physician, who was out of town and whereabouts unknown, Gemberling was not interviewed at this time.

SA James W. Anderton was interviewed on September 2, 1975. He advised that the first knowledge he had concerning a note from Oswald directed to SA Hosty occurred in the general time frame of 1969 to 1970. He said that sometime near the close of business while in the squad room of the Dallas Office he overheard SA Gemberling make some remark about the additional leads he had received concerning the Kennedy assassination. As Gemberling was departing Anderton overheard Mrs. Fenner make a remark concerning either a note or a letter of a threatening nature which had been directed to Hosty from Oswald sometime prior to the assassination. He stated that while Mrs. Fenner did not indicate that this was firsthand knowledge she remarked in unrecalled words that the note or letter had been delivered to Hosty who in turn took it to the Special Agent in Charge. He said that he heard no further discussion on this subject matter until approximately two or three years ago when, during a discussion concerning the assassination he overheard Mrs. Fenner make a remark such as "and the letter" or words to that effect at which time she laughed and departed without further elaboration.

Former SA Ural Horton was reinterviewed on September 4, 1975. He advised that he could furnish no additional information other than what he had previously furnished in his statement of July 23, 1975. He did note that he learned of Oswald's visit sometime between the latter part of November, 1963, and the latter part of December, 1963. He stated, however, that as to how and under what circumstances he first learned of the Oswald note he has no specific recollection whatsoever. He added that the note allegedly contained a threat to Hosty; however, he never saw the note nor is he aware of its disposition. He said that he has the impression that the note and circumstances surrounding it never received official investigative attention but he has no direct knowledge that this is a fact.

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SA James W. Bookhout was interviewed on September 2, 1975. He advised that sometime during the investigation of the assassination case he greeted SA Gemberling in the office and asked him how it was coming. He recalled that Gemberling responded that everything was fine and his only current problem was to decide the propriety of putting a certain Oswald letter into the assassination report. Gemberling said it was not so much his problem as it was that of Special Agent Hosty. According to Bookhout he immediately terminated the conversation since Hosty had already received newspaper publicity in connection with the assassination and he did not want to have any knowledge of Hosty's problems and did not want to get involved with them. He added that he does not know that this particular Oswald letter is the same Oswald letter that is now in question. He did not see the letter and does not know the contents of it.

SA Bookhout also advised that he was present on November 22, 1963, with SA Hosty during an interview of Lee Harvey Oswald at the Dallas Police Department. He stated that Oswald, upon hearing Hosty's name, immediately showed a hostile attitude toward Hosty and accused him of being the Agent who had been harassing his wife; however, at no time during this interview did Oswald mention that he had visited the Dallas Office and left a note for SA Hosty. Bookhout also noted that he was involved in another interview with Oswald as well as interviews with Ruth Paine and Marina Oswald and at no time was there ever mentioned anything about Oswald having visited the Dallas FBI Office and leaving a note.

On page one of the September 1, 1975, issue of the Dallas "Times Herald" there appeared an article (copy attached) captioned "Ex-Agent: Letter Left in Hosty's Box." This article set forth an interview with former SA Joseph L. Schott. Schott is quoted as stating that he understood that Oswald in his note threatened to kill Hosty if Hosty tried to talk to his wife Marina again. Hosty put his letter in his workbox -- for incoming mail -- and it was still there on the day of the assassination. Schott added that he doesn't know what happened to the letter but assumed it was destroyed. He noted that he did not know whether the SAC knew about it or not but he knew a lot of people in the office knew about it and were talking about it.

Schott was interviewed on September 3, 1975. He refused to sign the Interrogation: Advice of Rights form and he also refused to

furnish a sworn statement. The interview was recorded by FD-302, a copy of which is attached. Schott refused to identify any individuals who may have furnished the information attributed to him in the above-mentioned news article. He said that when contacted by the Associated Press reporter with regard to the article referred to previously, he referred to some notes that he had made and from these notes he concluded that he had received the information in the early part of 1964, while in Wichita Falls, Texas, in connection with either a Grand Jury proceeding or a trial. Schott claimed that he has since destroyed these notes. He stated that as he understood it Oswald came to the office and gave a note to some people, that it contained a threat to kill Hosty, that Howe saw the note and may have given it to Hosty. Hosty read it and put it in his workbox where it was at the time of the assassination. While Schott refused to identify the source or sources of his information, he did indicate that it might be well to interview those employees currently assigned to Dallas Headquarters who were there at the time of the assassination or shortly thereafter.

In view of the foregoing, United States Attorney Frank D. McCown was contacted on September 3, 1975, to ascertain from available records the identity of cases presented or identity of Agents of the FBI listed as appearing before the Federal Grand Jury in Wichita Falls, Texas, in 1964. Mr. McCown advised that it would be necessary to refer this request to the Executive Office for U. S. Attorneys, Washington, D. C., to obtain authority to release such information from his records.

On September 4, 1975, Assistant United States Attorney Alex McGlichey telephonically advised he had received such permission from the Department to make the requested information available to the FBI. It was determined that in 1964 one Federal Grand Jury met in Wichita Falls on October 7, 8, and 9. During those Grand Jury proceedings fourteen Agents were called to appear. Of these fourteen, which includes former SA Schott, only two, SAs Emory Horton and Joseph Hanley, are currently assigned to headquarters in Dallas and Ural Horton, previously referred to, while living in the Dallas area, is retired. Excluding Schott, these were the only three of the fourteen who were interviewed during this current inquiry.

During the current inquiry all those employees still in headquarters city who were there at the time of the assassination or shortly thereafter were interviewed with the exception of SA Gemberling,

previously mentioned as not being interviewed because of a recent heart attack. In addition to those already mentioned in this memorandum the following were interviewed: SAs Joe B. Abernathy, Robert P. Butler, Milton L. Newsom and Manning C. Clements. Current or former non-investigative personnel who were interviewed, together with the position they occupied at the time of the assassination are as follows: Nancy J. Collins, stenographic supervisor; Elva A. Jones, secretary to ASAC; Wanda V. McElroy, stenographer; Jewell E. Gilstrap, stenographer; and L. Winifred Dixon, assistant chief clerk. Miss Dixon who is no longer in the Bureau was the assistant chief clerk at the time of the assassination and was serving as the chief clerk at the time of her retirement. All of these people furnished statements advising that they had no information whatsoever concerning the matter in question.

The following employees who were assigned to the Dallas Office at the time of the assassination were also interviewed: SAs Will Hayden Griffin, Emory E. Horton, Gaston C. Thompson, Joseph H. Hanley, Raymond C. Eckenrode, Alfred C. Ellington. Noninvestigative personnel who were assigned to the Dallas Office at the time of the assassination or shortly thereafter and who are still so employed were also interviewed: T. Lanette Posey, Evalyn Middleton, and Anna D. King. To varying degrees this group of individuals furnished some information relative to Oswald's visit and the leaving of a note; however, they had no firsthand knowledge, having heard it from some other employee and nothing of significance was developed as a result of these interviews.

SA J. V. Almon was interviewed on September 7, 1975, in Denver, Colorado. Almon advised that it was common knowledge in the Dallas Office that Oswald did in fact visit the office two or three days before the assassination of President Kennedy, that he had left a threatening note with the receptionist which was addressed to SA Hosty. He claimed that it was also common knowledge that the note was not placed in Oswald's file and was destroyed. He claims that he never personally viewed the note. He stated that to his recollection the first reference he heard to the note was several days following the assassination and he does not recall precisely which Agent first mentioned its existence. He feels, however, that it was one of the following: Edwin D. Kuykendall (now retired), W. Harlan Brown (now retired), Wallace R. Heitman (now retired), Richard E. Harrison (since resigned), Robert M. Barrett, currently assigned to our Birmingham Office, or Robert P. Gemberling previously

referred to in this memorandum). According to Almon, Mrs. Fenner mentioned the note on several occasions and appeared to have some personal knowledge of it and may in fact have read it. He stated that according to the information he received the note made no reference to President Kennedy but was a threat directed toward SA Hosty if he did not stop harassing Oswald's wife. He said that there was some discussion among the Agents whose identities he does not now recall as to whether the note constituted a violation of the law in view of the threat to an Agent. He thinks that possibly Gemberling or Heitman may have mentioned this but he cannot now be certain.

Continuing, Almon stated that he heard through an employee of the Dallas Office, whose identity he cannot recall, that there was a meeting of supervisors and Agents coordinating the investigation which was held for the purpose of deciding what to do about the note. He said this group would normally include Shanklin, Clark, Bowe, Hosty, Gemberling, and Manning C. Clements (now retired). He said that he personally did not know what decision was made or who made the final decision but there was little discussion pertaining to the note following the meeting until the assassination came before the Warren Commission. He stated that following the release of the report by the Warren Commission the matter subsided, but would occasionally come up in conversation during Agent gatherings. He recalled that on one occasion one Agent remarked that he wondered what the Bureau would do if they knew about the note and they replied with words to the effect "You had better hope they never do find out." He said that he also recalls that SAs Drain and Ural E. Horton questioned what the Warren Commission would have done had they known about the note and what would happen if the newspapers found out about it. He advised that on another occasion Drain or Horton made some reference to the matter to SA Anderton who remarked "I do not know what you are talking about -- I never saw the note," leaving the impression with Almon that he wanted nothing whatsoever to do with the matter.

Almon also commented that during June, 1975, shortly before his retirement, SA Ural Horton remarked in the presence of Agents Griffin, Drain, Anderton and possibly Hanley that he wondered what would happen if the newspapers found out about the threatening note and someone, possibly Drain, replied, "Let's hope the newspapers never find out about the existence of the note" and the matter was dropped.

The foregoing was placed in a sworn statement by Almon. In addition, he advised that based on vague recollection he seems to recall a conversation with former investigative clerk Robert G. Renfro wherein Renfro stated that he had either handled or seen the note in question. (Renfro is no longer an employee of the Bureau.) He also commented based solely on his opinion that Joseph J. Loeffler originally had the Kennedy assassination assigned to him and "had to know about it," referring to the Oswald visit and note.

On September 8, 1975, SA Kenneth C. Howe was reinterviewed at Washington, D. C. It may be recalled that Howe furnished three statements in July of this year. In addition to that information which he previously furnished Howe advised that while he can't remember specifically why he knew the note in question was from Oswald he knows it was either signed by him or Oswald's wife's name, Marina, was mentioned therein. He stated at that time they had a case on Marina and he knew her to be the wife of Lee Harvey Oswald. He recalled that the note was on plain paper and was either handwritten or hand printed and was threatening in nature either concerning some action Oswald said he was going to take possibly against SA Hosty or against the FBI office. He said that he can't remember whether he found the note before or after Oswald was shot but believes it was after. He advised that he found the note in Hosty's workbox and considered it of sufficient import to be brought to the attention of the SAC and took it immediately to SAC Shanklin. He can't remember what wording he used to convey to SAC Shanklin what he had but knows that Shanklin was made aware by him of what he had. He recalls that Shanklin's reaction was to wave him away and say, "Don't tell me about it. I don't want to hear or I don't want to know anything about it." He said from this reaction it was his impression that Shanklin had possibly heard of the existence of the note before but he does not know this to be a fact.

Continuing, Howe stated that he cannot remember whether he left the note with Shanklin but feels that at that point one of three things had to have occurred: (1) He left the note with Shanklin; (2) He returned the note to Hosty's workbox; or (3) He held the note and personally gave it to Hosty. He claims that he subsequently told Hosty what had happened but he does not recall having any discussion with him concerning it. He stated that at that stage he felt it was a matter for the SAC to resolve with Hosty and having told both about the matter he took no further action.

He claims that he did not subsequently discuss it with Shanklin, Hosty or anyone else. He denies instructing Hosty to destroy the letter and denies receiving any instructions from anyone else that he should tell Hosty to destroy the letter. He said he never knew of the ultimate disposition of the letter. He claims he has no recollection of having prepared a memorandum or having made any written record of the note.

Howe was confronted with the information furnished by his former secretary. He advised he does not recall this nor under the circumstances as they existed at that time can he categorically deny it didn't happen. He said at that time the matter was still in the hands of the SAC and until some adjudication by him he felt the matter should not be discussed. He claims that if any decision was made that information concerning the note should or should not be included in a communication he had no part in that decision.

On September 8, 1975, James R. Malley was interviewed at Washington, D. C. He advised that on the date of the assassination he held the position of Number One Man to the Assistant Director of the General Investigative Division. He advised that on November 24, 1963, he received an instruction to proceed to Dallas, Texas, and arrived there approximately 8:00 p.m. that evening. To his recollection he returned to Washington on December 12, 1963. He advised that at no time did he ever hear of Oswald having visited the Dallas Office or bringing a note to the Dallas Office until he read an article in the newspaper in late August or early September, 1975. He also advised that at no time during the period he was in Dallas did he attend any conference at which there was any discussion concerning a note that had been delivered by Oswald.

Concerning Ruth Paine, it was determined on September 9, 1975, that she is currently residing at 222 Winona Street, Philadelphia, Pennsylvania, telephone VI 9-6799. It was also determined that as of that date she was out of town and the expected date of her return was not known.

On September 10, 1975, SAC Joseph J. Loeffler of our Columbia Office was interviewed at Washington, D. C. At the time of the assassination there were four supervisory desks in Dallas. One was handled by SAC Shanklin, one by ASAC Clark, one by SA Howe and the other by Loeffler.

Loeffler advised that to his recollection he first learned of Oswald's visit to the Dallas Office probably sometime during the week of November 24, 1963. He does not recall who informed him of this and when the information was conveyed to him he considered it to be common knowledge in the office. Until reading it in the recent newspapers he stated he was not aware that Oswald had left a note. He advised that immediately following the assassination he was assigned to marshal the investigation and insure that appropriate leads were receiving expeditious attention. He denies that he was present at any time during any discussion concerning receipt of a note from Oswald or the decision to destroy such a note.

As you may recall, in Hosty's statement of July 17, 1975, he advised that at the time he received the note he thought it was from another subject of his, one Jimmy George Robinson, a Ku Klux Klan leader from Garland, Texas, who had made a complaint to the Dallas Office of the FBI alleging his civil rights had been violated by the Garland, Texas, Police Department. Hosty stated that he and another Agent went to Robinson's residence and not finding him at home interviewed his wife who gave a completely different version of his allegation against the Garland Police Department. Her statement completely wiped out the civil rights complaint according to Hosty.

The incident to which Hosty referred to is apparently a case handled by him in June, 1963. A copy of the report in connection with this case is attached. In essence it discloses that Robinson was placed in jail in June, 1963, for assaulting his wife. While in jail his wife allowed Garland Police Department officers to search his residence, including the area which he claimed to be his study. He claimed his wife had no right to let the police search his office as it was not under her control; hence, he felt his civil rights had been violated. As noted in this report, Hosty in company with another Agent interviewed Robinson's wife on June 24, 1963. She said that while still married to Robinson she left him following the assault on her person. She stated that she allowed the police officers to conduct a search.

In the September 15, 1975, issue of "Time" magazine, there appears an article on page nineteen captioned "The Oswald Cover-up." This article makes reference to Oswald's visit to the Dallas Office prior to the assassination and delivery of a threatening note. This article

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claims that FBI sources close to the investigation believe that the note was more ominous than Kelley (Director) implied and that the Bureau's Inspectors have learned that Oswald specifically threatened to take action against the Government. This article points out that according to present and former FBI officials John P. Mohr, then the Bureau's administrative chief, told the Dallas Agents to destroy it. Continuing, the article claims that Mohr, who retired in 1972, denies any knowledge of Oswald's note or its disappearance. So too do his former aides in the Administrative Division, Nicholas P. Callahan, James B. Adams, and Eugene W. Walsh. The article notes that the continuing FBI investigation is especially sensitive because these men now hold three of the Bureau's five top jobs.

Sworn statements have been obtained from Messrs. John P. Mohr, Nicholas P. Callahan, James B. Adams, and Eugene W. Walsh in which they categorically denied these allegations.

On September 11, 1975, Sandy Smith of "Time" magazine and the author of the above-mentioned "Time" article of September 15, 1975, came to Bureau Headquarters to see Mr. Adams. Mr. Smith had previously indicated a desire to talk with Mr. Adams. On this occasion Smith was advised that his article troubled Mr. Adams because for the first time there was an allegation that any cover-up which might have taken place could be an institutional cover-up by involvement of FBI superiors in Washington concerning the Oswald note. Mr. Adams noted that if Smith did not act in good faith in preparation of the article and if he could not back it up such could be construed as being malicious and grounds of libel. Mr. Smith stated that he had received this information from four, five, or six separate officials, present or former, and he was certain the information was true. He was asked if all of these sources specifically claimed to have personal knowledge or had just heard that such might be the case and had heard Mr. Mohr had ordered the destruction of the note. He replied that only one of his sources claimed to have personal knowledge Mr. Mohr told the Dallas Agents to destroy it and the other sources had varying degrees of knowledge concerning it.

Smith would not identify his sources and also would not provide any leads leading to the identification of his sources. He said he realized that his allegation was most material to our inquiries and

recognized he may be forced to produce the identity of his sources through a libel suit or other action and then they could tell their story as they told it to him which would clearly show he acted on information coming from individuals who had provided him with reliable information in the past. He did define official as someone above the Special Agent level and would fall within the range of Special Agent supervisor or a top official, either present or former. During this conversation Mr. Smith also stated that some of his sources indicated that even Mr. Hoover knew about this; however, he did not include it in the article because there was a conflict between his sources in this regard and he confined his article to what the sources agreed upon.

In view of the above information, it was determined that at this point it would be essential to interview those employees and former employees who were involved in the chain of command in the two divisions at Bureau Headquarters who were engaged in Headquarters supervision of the assassination case as well as other individuals who had various reporting responsibilities.

In view of the above, Mr. John P. Mohr was reinterviewed on September 12, 1975, and the results of this interview were recorded by FD-302. Mr. Mohr was advised of the information which Mr. Smith had furnished and he advised that he had no intention of filing a libel suit because of the high costs involved and the fact that he was already engaged in a suit which may prove financially burdensome. Nevertheless, he stated that if there was some way in which the Government could file a suit in his behalf he would be more than willing to appear before any body, including a grand jury to testify to the accuracy of his prior sworn statement in which he denied having any knowledge of the Oswald visit until it appeared in the newspapers.

The two divisions having the investigative responsibilities with regard to the assassination were the Domestic Intelligence Division and the General Investigative Division. The following individuals were interviewed and title as of the time of the assassination and current status as to whether employed or retired are set forth parenthetically beside each name: (The exception is James Handley, who is deceased, but was in the chain of command and who was directly involved in supervising the assassination case.)

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Alan H. Belmont (Assistant to the Director - Investigative - retired). Mr. Belmont is seriously ill and therefore no effort was made to obtain an Interrogation; Advice of Rights form or a sworn statement from him.

Sterling B. Donahoe (Inspector - Number One Man to Mr. Belmont - retired).

Alex Rosen (Assistant Director, General Investigative Division - retired).

James R. Malley (Inspector - Number One Man to Assistant Director, General Investigative Division). See prior interview of Mr. Malley.

James Handley (deceased, but at the time of the assassination was the Section Chief of the Criminal Section, General Investigative Division).

Henry A. Schutz (Unit Chief, Criminal Section, General Investigative Division - retired).

Richard D. Rogge and Fletcher D. Thompson (both Supervisory Special Agents, Criminal Section, General Investigative Division, who had reporting responsibilities and who arrived in the Dallas Office on November 25, 1963, to assist in the preparation of the initial communications. Rogge is currently employed. Thompson is retired.)

William C. Sullivan (Assistant Director, Domestic Intelligence Division - retired).

Joseph A. Sizoo (Inspector - Number One Man, Domestic Intelligence Division - retired).

Donald E. Moore (Inspector - Number Two Man, Domestic Intelligence Division - retired).

William A. Branigan (Section Chief, Espionage Section, Domestic Intelligence Division - current employee).

Elbert T. Turner, W. Marvin Gheesling, Lambert L. Anderson, and Charles D. Brennan (Supervisory Special Agents who were responsible for various aspects of the investigation and/or reporting responsibilities. Anderson is a current employee, whereas the other three are retired.)

With the exceptions of Sullivan and Turner, all of the aforementioned advised that they had no knowledge whatsoever of Oswald's visit and the leaving of a note.

With regard to Elbert T. Turner, following the recent publicity concerning the Oswald visit and note, he recalled that while he did not remember any threatening note by Oswald he did have a vague recollection that Oswald had complained to the Dallas Office concerning inquiries made about his wife. According to Turner, he believed he received this knowledge from reviewing some communication in the Bureau file and has no recollection of discussing this Oswald complaint with anyone. Mr. Turner said he is reasonably sure that his recollection of Oswald's complaint to the Dallas Office was not based on seeing the results of SA Hosty's interview of Oswald on November 22, 1963, at the Dallas Police Department.

Based on the initial interview with Mr. Turner and his recollection, he was reinterviewed and exhibited a copy of a letter dated November 9, 1963, written by Lee H. Oswald to the Soviet Embassy in Washington, D. C., which letter reads in part as follows:

"The Federal Bureau of Investigation is not now interested in my activities in the progressive organization 'Fair Play For Cuba Committee', of which I was secretary in New Orleans (state Louisiana) since I no longer reside in that state. However, the F.B.I. has visited us here in Dallas, Texas, on November 1st. Agent James P. Hasty warned me that if I engaged in F.P.C.C. activities in Texas the F.B.I. will again take an 'interrest' in me.

"This agent also 'suggested to Marina Nichilayeva that she could remain in the United States under F.B.I. 'protection', that is, she could defect from the Soviet Union, of course, I and my wife strongly protested these tactics by the notorious F.B.I."

After reviewing this particular Oswald letter, Turner stated while he cannot be absolutely certain that this particular communication is the material he thought he had seen in the Bureau file he does now recall having seen this particular letter in the file and believes it was most likely the communication that he referred to when he was initially interviewed. (It is noted that full details concerning this particular Oswald letter were made available to and published in the Warren Commission report.)

With regard to Mr. Sullivan, telephonic arrangements were made on September 12, 1975, to interview him on the following Tuesday at his residence in New Hampshire. He subsequently advised on September 15, 1975, that he had conflicting schedules and wondered if our questions could be submitted through our Boston Office and he would then respond to them. During this discussion he agreed, however, to meet with Bureau representatives on the morning of September 16, 1975. He refused to sign an Interrogation; Advice of Rights form and also refused to be placed under oath. However, upon arrival of the Inspector he made available a three-page typed statement concerning this matter. Among other things, Mr. Sullivan in his statement noted that on one occasion during a conversation with Mr. Shanklin the latter mentioned that he had internal personnel problems in the Oswald case because one of his Agents (the name was not given to Sullivan or if so he has forgotten) had received while Oswald was alive a threatening letter from him because of the Agent's investigation of Oswald. According to Sullivan, he raised a question as to the details and Shanklin seemed disinclined to discuss it other than to say he was handling it as a personnel problem with Mr. J. P. Mohr. He advised he did not press the matter and they went on to other topics. Further, no mention was made of anything being destroyed.

Continuing, Mr. Sullivan advised that in another later conversation Mr. Shanklin mentioned to him that Director J. Edgar Hoover was furious at one of his Agents, James Hosty, and was going to give

him a transfer out of Dallas. When he inquired why Shanklin replied that Mr. Hoover did not like the way Mr. Hosty had handled his part of the Oswald investigation, it was then Mr. Shanklin told Sullivan that it was Hosty who had received the threatening message from Oswald before the assassination. He stated that Shanklin did not mention that any message had been destroyed.

Mr. Sullivan, at the Inspector's request, added an addendum to his statement noting that the conversation he had with Shanklin concerning one of his Agents who had received a threatening message from Oswald occurred subsequent to the assassination. He further stated that at no time was he present or did he have any knowledge whatsoever of the identities of anyone who made a decision to destroy an alleged threatening note delivered by Oswald to the Dallas FBI Office.

James H. Gale, Assistant Director of the Inspection Division at the time of the assassination, conducted two internal inquiries concerning the Bureau's investigation of Lee Harvey Oswald prior to the assassination. In view of this, Mr. Gale was interviewed. He advised that he had no knowledge of the Oswald visit until he read about it in recent newspaper articles. He recalls that a few days following the assassination and it may have been the following Monday, which he knew was a holiday, he was called to the office at the instruction of Mr. Hoover. He said he met with Mr. Hoover and former Associate Director Clyde A. Tolson in Mr. Hoover's office for approximately two hours. During that period of time Mr. Hoover instructed Mr. Gale to conduct a thorough inquiry as to the Bureau's handling of the Oswald case. He recalls Mr. Hoover stating that in his opinion there probably would be a Presidential commission which would review the Bureau's handling of this matter and he wanted to be certain that it had been properly handled. If on the contrary there were shortcomings and delinquencies Mr. Gale was instructed to thoroughly report same and in fact Mr. Hoover specifically stated "Leave no stone unturned and let the chips fall where they may." He also stated, "This is undoubtedly the most important responsibility I have given you since you have been in the FBI." According to Mr. Gale, Mr. Hoover reiterated this a number of times during the interview with emphasis.

James P. Hosty was reinterviewed on September 22, 1975. Hosty stated that his best recollection is that the note left by Oswald

was in the nature of a complaint, complaining about Hosty having interviewed Oswald's wife. He stated that he recalls it said, "If you have anything you want to learn about me come talk to me directly," and that the note concluded, "If you don't cease bothering my wife, I will take appropriate action and report this to proper authorities." He doesn't recall a signature and doesn't recall Oswald's wife's name being mentioned. He still maintains that at the time he received the note he thought it was from a prior subject, Jimmy George Robinson, but realizes, "how stupid such an assumption was on my part" when advised that his interview with Robinson took place in June, 1963.

According to Hosty, about an hour following his interview of Oswald on the day of the assassination he received a message at the police department to return to the Dallas Office. Upon reporting to Mr. Shanklin's office he recalls Mr. Shanklin and Mr. Howe being present. They had Hosty's workbox in their possession and either Shanklin or Howe showed him the note from Oswald and asked what the note was all about. He then explained his previous interview of Mrs. Paine and Oswald's wife at the Paine residence on November 1, 1963, and the vehement protest that Oswald had made to him during the interview on November 22, 1963.

After explaining this to Mr. Shanklin, he instructed him to set forth in memorandum form the information which he had orally explained, making specific reference to the note. He stated he dictated this memorandum as instructed to Miss Martha Connally (now Martha Campbell) and that the memorandum was addressed to the SAC under the caption "Lee Harvey Oswald, aka; IS - R - Cuba." He stated he did not have the note from Oswald in his possession when he dictated this memorandum, it having been left with Mr. Shanklin. He said the memorandum when typed was an original and one copy and was possibly three or four pages in length. He said he remained in the office while Miss Connally transcribed his dictation and when it was completed carried the memorandum to Mr. Shanklin and it was probably about 8:00 or 9:00 p.m. He handed this memorandum to Mr. Shanklin and recalls no pertinent comment made at that time.

According to Hosty, nothing further occurred concerning this memorandum and the Oswald note until Sunday, November 24, 1963. He said he was on duty in the office on that date handling various duties

when he learned that Oswald had been shot and later learned that he had died. Approximately two hours later he received word from Mr. Howe that Mr. Shanklin wanted to talk to both of them and they proceeded to Mr. Shanklin's office. On entering Mr. Shanklin stated "Oswald is dead now. There will be no trial." He then handed Hosty his memorandum of November 22, 1963, with the note from Oswald attached and told him to get rid of it. He claims the memorandum had not been block stamped or serialized. He tore up both copies of the memorandum and the note in the presence of Shanklin and Howe and threw them in the wastepaper basket in Mr. Shanklin's office. He advised that Mr. Shanklin then said "Get rid of it, get it out of here." He said he then took the torn pieces out of the wastepaper basket, left Mr. Shanklin's office, went to the men's wash room and flushed the scraps of paper down the commode. He said that no one was with him when he did this.

Mr. Hosty also advised that on November 23, 1963, he interviewed Ruth Paine and during this interview she made available to Hosty what appeared to be a rough draft handwritten letter prepared by Oswald and addressed to the Soviet Embassy at Washington, D. C. He said that on the following Monday or Tuesday, November 25 or 26, 1963, in preparation to dictate the results of his interview with Mrs. Paine he was not sure how to report Oswald's rough draft letter so he went to discuss the matter with Mr. Shanklin. He said he told Mr. Shanklin he had a letter from Oswald which mentioned Hosty's name and Shanklin became highly excited and agitated and started screaming at him, stating "I thought I told you to get rid of that letter. Get rid of it." He realized that Mr. Shanklin had been under extreme pressure, possibly verging on a nervous breakdown and decided not to discuss the matter with him further and left. On leaving Mr. Shanklin's office he met SA Bardwell D. Odum who had apparently overheard Mr. Shanklin yelling at him and inquired as to what the problem was. He claims he then told Odum what had transpired and at that point, according to Hosty, Odum confided in him that on late Saturday night, November 23, or the early morning hours of the 24th, 1963, he, Odum, had been sent by Mr. Shanklin to interview Mrs. Paine in order to verify Hosty's story as to his prior interview of Mrs. Paine and Marina Oswald on November 1, 1963, and to determine if he had in any way mistreated any of these individuals.

According to Hosty, Odum told him that Mrs. Paine had advised him that she had given Hosty Oswald's rough draft letter to the Russian Embassy but had retained a copy of the rough draft that she had made in her own handwriting. Odum told her that she should give him the rough draft which she did. Odum said that he took this rought draft to Mr. Shanklin sometime on the 24th or 25th of November and told Mr. Shanklin about it and that Mr. Shanklin told Odum "I thought I told Hosty to get rid of that note," and according to Odum Mr. Shanklin became hysterical.

Hosty advised that at a later date the rough draft which he had obtained from Mrs. Paine was forwarded to the Bureau and that following submission of it to FBI Headquarters Mr. Shanklin said to him that he apparently had misunderstood Hosty about the rough draft of the letter and agai n asked Hosty if he had gotten rid of the earlier letter by Oswald as instructed by Shanklin and Hosty assured him that he had.

On September 24, 1975, a review of the files of the Dallas Office verified that SA Hosty had interviewed Mrs. Paine on November 23, 1963, and he prepared an exhibit envelope on that same day and placed in the appropriate file the rough draft letter to the Soviet Embassy prepared by Oswald and referred to above. This particular specimen of Oswald's handwriting was forwarded to the FBI Laboratory by Dallas airtel dated January 23, 1964. The Dallas files also verify that on November 24, 1963, SA Odum did interview Mrs. Paine and on that same date prepared an exhibit envelope for the file and included therein a copy of a letter he received from Mrs. Paine. This exhibit was returned to Mrs. Paine on April 28, 1964.

Martha Ann Campbell, nee Connally, was reinterviewed September 23, 1975. Mrs. Campbell was exhibited that portion of the affidavit furnished by Hosty on September 22, 1975, as it relates to his dictation of a memorandum to then Miss Connally. She advised that she had no recollection of SA Hosty dictating such a memorandum. She said he may have but at this time she simply cannot recall it.

Former SA Bardwell D. Odum was interviewed on September 24, 1975. He advised that until he read recent newspaper publicity he had

reporter and former SA Odum. She stated the purpose in calling Odum was to alert him that she had received a call from a reporter. She advised that to the best of her recollection Oswald visited Marina at Mrs. Paine's apartment the weekend of November 8, and she believes that it was on this weekend that Oswald told her he had visited the Dallas Office of the FBI and was upset concerning the visit the prior week by SA Hosty to the Paine residence. She stated she does not recall anyone specifically telling her but she learned later on that Oswald had not gone to the Dallas Office of the FBI and it only came to her attention when the newspaper man read her testimony before the Warren Commission to her. Her only explanation was that prior to testifying before the Commission she had been in contact with SA Odum a number of times and it was her thought that possibly Odum had told her that Oswald had never gone to the FBI office. She stated that Odum recently told her he never knew that Oswald had come to the Dallas Office.

Mr. Shanklin was reinterviewed on September 24, 1975. He was allowed to review the four affidavits previously furnished by Howe, the two affidavits furnished by Hosty and the affidavits of Ural Horton of July 23, 1975, and of Marian F. Roberts of September 6, 1975, as well as the FD-302 concerning the interview of William C. Sullivan. He categorically denied having any knowledge or recollection of Howe ever bringing the matters he mentioned to Shanklin's attention either before or after the assassination. He also had no independent knowledge of Hosty ever discussing with him Oswald being in the office or leaving of a note or telling him to type up a memorandum and later telling him to destroy it. He does remember a conversation with Ural Horton concerning Hosty. He recalls that he mentioned to Horton that he had seen Hosty a month or two previously and Hosty was still upset over what Hosty claimed to be unjust criticism of his handling of the Oswald case. He said that he does not personally recall Horton mentioning a note and not knowing anything about it. As he recalled it was just a general statement as to whether Hosty was a well-balanced Agent.

Concerning Sullivan's comments, Mr. Shanklin stated that he is completely at a loss to understand any comments Sullivan made concerning their conversation regarding any note received from Oswald. He said he did discuss the Oswald investigation on a number of occasions

with Sullivan and certainly Hosty's name came up, particularly in connection with the allegation that Oswald was an FBI informant. He also notes that on a number of occasions he may have discussed disciplinary action against Hosty and other Agents with Sullivan and certainly with John P. Mohr but categorically denied that there was any such comment made as it relates to a note. Shanklin pointed out that he had no knowledge of the receipt of such a letter and therefore never discussed same with any Bureau official. He also denies having any knowledge of a meeting which allegedly transpired for the purpose of making a decision as to whether the note should be destroyed.

Mr. Shanklin in his statement noted that he remained on duty at the Dallas Office from the day of the assassination until approximately 11:00 p.m., on November 23, without sleep or rest. When he went home on that date to get some rest it was not possible and he returned to the office at approximately 1:00 a.m., on Sunday, November 24, 1963, and remained on continuous duty again without any rest until about 4:00 p.m., on Monday, November 25, 1963. From that time until some ten days after, the only rest he received was approximately four hours per day at a nearby hotel. Mr. Shanklin desired to point this out for the purpose of showing the conditions that existed in connection with the assassination, the killing of Oswald, and all of the subsequent investigations and therefore by no stretch of the imagination could he remember each and every telephone call, teletype, or conversation that transpired during this extended period of time.

It should be noted that on September 2, 1975, Tom Johnson, publisher of the Dallas "Times Herald" told SAC Theodore L. Gunderson of the Dallas Office that he was informed that the secretary who was the recipient of Oswald's letter had mentioned the note to a friend and that this friend subsequently wrote a letter to Mr. Shanklin "some time back" asking Mr. Shanklin about the disposition of Oswald's note. Mr. Johnson asked for confirmation of this information and was informed that beyond Mr. Kelley's original press release no comment could be made. Mr. Shanklin in his statement advised he never received such a letter.

As previously noted on page 7, SA Gemberling was not available for interview in view of the heart attack he had suffered on August 2, 1975. By letter of September 16, 1975, from Howard E. Heyer, M. D.,

never heard any reference made to a note left by Oswald for Hosty or that Oswald had ever been in the Dallas Office of the FBI. That portion of Hosty's statement of September 22, 1975, dealing with Mr. Odum was read to him. Mr. Odum stated that he recalled obtaining a note in Mrs. Paine's handwriting which was a copy of something she had already turned over to the FBI and thinks it is the same note that Hosty's statement talks about. However, Odum stated he did not make any statement to Mr. Hosty at any time that Mr. Shanklin had ever said anything to Mr. Odum about destroying anything or telling Hosty or anyone else to destroy anything. He stated that any statement by an Agent of the FBI pertaining to the destruction of anything which might be considered evidence would be a matter which would be so unusual that he would not forget it. Moreover, Odum advised that he does not recall ever specifically being sent by Mr. Shanklin to interview Mrs. Paine except on one occasion when Mr. Shanklin stated go back out there and be sure we don't miss anything.

As to interviewing Mrs. Paine on a late Saturday evening or early morning hours of the following day, he does not recall ever making a visit to Mrs. Paine's house at "such an ungodly hour."

Odum also advised that approximately three weeks ago he received a long-distance telephone call from Ruth Paine, who is now living in Philadelphia, Pennsylvania. She asked Odum if they had ever talked about Oswald being in the Dallas Office of the FBI and he replied that he could not recall any such conversation. She stated she was glad to hear him say that because she had been called by a newspaper reporter who asked her about Oswald being in the FBI office. She told Odum she informed the reporter that she had never heard about him being in the office and the reporter then read that portion of her testimony before the Warren Commission wherein she advised that Oswald had claimed he had been there but that she later found out it was not true. He said that her reaction to this was it sounded like something she might have said although she still had no recollection of the event itself. She told Odum that the reporter asked her how she had checked to find out that the claim of Oswald was a lie and told Odum that since he was her primary contact at that time she felt that if she had checked it would have been with Odum.

Ruth Paine was telephonically contacted on September 25, 1975. She advised of her telephonic contact with both the newspaper

to the SAC in Dallas, Dr. Heyer advised that he would advise against Gemberling being put under any undue stress or strain, physical or mental, for at least another month and at that time will try to decide what future activities would be advisable.

As noted previously, Howe was reinterviewed September 8, 1975, at Washington, D. C. Following his return to his office of assignment, San Diego, he mailed a note postmarked September 14, 1975. In substance he advised that he still cannot recall many things concerning this matter but notes the following. He claims that it was after the assassination of President Kennedy and the arrest of Oswald as the probable assassin that he first knew of Fenner's contention that an individual who had been to the Dallas Office sometime previously and had left a note for Hosty had been Oswald. He claims he became aware of this information from Fenner herself, either directly or to someone else within his hearing. He advised that he surmised that the note might have or must have had in it some mention of the name Marina or Oswald. He claimed that he now clearly knows without qualification when he found the note he associated it not with the Oswald case as such but rather with the note Fenner had been talking about. Accordingly, he states as follows, "I find it necessary to say there well might not have been anything in the note itself to identify it with Oswald or any other such individual."

Upon your review of this memorandum and its enclosure it would be appreciated if we could have further discussion concerning this entire matter.

Attached is an index advising the page location for the sworn statements and where other material can be located.

Enclosure

1 - The Deputy Attorney General (Enclosure)

1 - Assistant Attorney General
Criminal Division (Enclosure)

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA FPMR (41 CFR) 101-11.6

UNITED STATES GOVERNMENT

Memorandum

Assoc. Dir. ____
Dep. AD Adm. ____
Dep. AD Inv. ____
Asst. Dirs.
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Plan. & Eval. ____
Rec. Mgmt. ____
Spec. Inv. ____
Training ____
Telephone Rm. ____
Director Sec'y ____

TO : FILE

DATE: 10/1/75

FROM : J. A. CONLEY

SUBJECT: ASSASSINATION OF PRESIDENT JOHN F. KENNEDY

Reference is made to letter to the Attorney General with enclosures, dated 9/29/75, as captioned.

Enclosures

Enclosures

JAC:jmh
(2)

5

1- ENCLOSURE "ENCLOSURE [illegible]"

ST 109

REC-87 7314x2

18 NOV 18 1976

1976 Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

FBI/DOJ

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27

UNITED STATES GOVERNMENT

Memorandum

Asst. Dir. ✓
Dep. AD Adm.
Dep. AD Inv.
Asst. Dir.:
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Comp. Syst.
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Training
Legal Coun.
Telephone Rm.
Director Sec'y

TO : MR. CALLAHAN DATE: 10/1/75

FROM : J. B. ADAMS

SUBJECT: LEE HARVEY OSWALD MATTER

By memorandum dated 9/17/75 from Legal Counsel to me, it was pointed out that the House Subcommittee on Civil and Constitutional Rights of the Committee on the Judiciary was desirous of having hearings concerning our inquiries into Oswald's visit to the Dallas Office, his leaving a note, and the subsequent destruction of the note. After clearing with the Department, it was approved that I meet with Chairmen Edwards and Rodino of the Subcommittee to orally brief them on the matter to see if that would suffice in lieu of hearings at this time, in view of the fact that the matter is under consideration by the Department as to possible criminal activity.

I met with Messrs. Rodino and Edwards last evening and briefed them in detail concerning the allegation and the results of our inquiries to date, and advised them that the results of our inquiries to date are in the process of being transmitted to the Department and it would appear desirable to have any question of criminal liability, including the presenting of the matter to a grand jury, resolved prior to the initiation of any Congressional hearings on this subject. Chairman Rodino indicated that he felt that any further extensive delay in having some form of public statement on the matter would be damaging to the Bureau because it would possibly give rise to false impressions that there was a coverup taking place. Accordingly, he asked that in transmitting the report to the Department we express his request that the matter be promptly resolved in order to avoid any confrontation over this matter between the Committee and the Department.

We have now received a request from Congresswoman Bella Abzug stating her committee has oversight in this area and desiring testimony from Mr. Kelley and others regarding our inquiries into this matter as well as testimony on the subject of destruction of J. Edgar Hoover's confidential files. Mr. Mintz has this on a "See Me" from the Director and I have advised him of the results of my briefing of Chairmen Rodino and Edwards in order that both matters could be considered at the same time. In any event, it would be necessary to secure Department clearance prior to agreeing to any such testimony in view of the fact that the matter is under consideration by the Department.

REC-87 [illegible] -7314X1

ST 109

18 NOV 18 1976

JBA:ams
(4)

1 - Mr. Bassett 1 - Mr. Mintz

CONTINUED OVER

Memorandum for Mr. Callahan
Re: LEE HARVEY OSWALD MATTER

During the briefing last evening, a question was also raised concerning the William S. Walter matter, and I briefed them in detail concerning the facts of that matter. They had apparently been asked to consider hearings on those allegations yet have not indicated what course they intend to pursue. I also discussed the relationship of Ruby with the Bureau wherein he was contacted as a potential criminal informant but never furnished any information of value and, therefore, was never actually an informant of the Bureau, which satisfied their inquiries in that regard. We also discussed the involvement of Ruby in union activities in Chicago and his being involved with two individuals, one of whom killed the other in a dispute. This, likewise, was not new information, both matters having been considered by the Warren Commission.

ACTION:

Information only.

Dep.-A.D.-Adm.
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Asst. Dir.:
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Legal Coun.
Telephone Rm.
Director Sec'y

SEP 28 1975

NR001 MI PLAIN

12:01PM URGENT SEPTEMBER 28, 1975 DDS

TO: DIRECTOR, FBI ATTN: GID

FROM: SAC, MILWAUKEE (62-1178)

ASSASSINATION OF PRESIDENT JOHN F. KENNEDY, 11/22/63, DALLAS, TEXAS.

RE BUTEL TO ALL SAC'S 9-27-75.

SEARCH OF MILWAUKEE INDICES, INSTANT SUBSTANTIVE FILE, NUMEROUS ZERO FILES, AND OTHER LOGICAL FILES REVIEWED. NONE CONTAIN ANY IDENTIFIABLE RECORD OR REFERENCE TO 11/17/63 TELETYPE IN QUESTION, OR TO ANY SUCH SIMILAR COMMUNICATION.

END

MAH FBHQ ACK FOR ONE

WA CLR

EX-106

REC 22 62-105060-2315

5 OCT 1 1975

6-1 mr

OCT 4 1975

NR001 HO PLAIN

11:52AM URGENT 9/28/75 PXA

TO DIRECTOR

FROM HOUSTON (62-2115)

ATTN: GID

ASSASSINATION OF PRESIDENT JOHN F. KENNEDY, NOVEMBER 11, 1963, DALLAS, TEXAS.

RE BUTEL SEPTEMBER 27, 1975.

SEARCH OF INDICES AND REVIEW OF ALL LOGICAL FILES IN HOUSTON DIVISION NEGATIVE REGARDING TELETYPE FROM FBIHQ TO ALL SACS, ENTITLED "THREAT TO ASSASSINATE PRESIDENT KENNEDY IN DALLAS, TEXAS, MISC. INFO CONCERNING."

END

108

REC-61 62-109060-B16

5 OCT 1 1975

6-112

7000 14 1975

SEP 28 1975

TELETYPE

NR 001 OM PLAIN

3:30 PM URGENT SEPTEMBER 28, 1975 MLB

TO: DIRECTOR, FBI

FROM: SAC, OMAHA (89-20) (RUC)

ASSASSINATION OF PRESIDENT JOHN F. KENNEDY,

11-22-63, DALLAS, TEXAS.

RE BUREAU TELETYPE TO ALL SAC'S 9/27/75.

REVIEW OF INDICES AND ALL FILES RELATING TO CAPTIONED MATTER INCLUDING 62-0, 62-00, , 62-2518 (TRAVELS OF THE PRESIDENT), 62-2204 (PROTECTION OF THE PRESIDENT), 62-2424 (BOMBING MATTERS), 89-0, 89-00, 80-273 (SECRET SERVICE), 89-20 (ASSASSINATION OF PRESIDENT KENNEDY), 66-2703 (LIAISON WITH OTHER GOVERNMENT AGENCIES), 105-2119 (LEE HARVEY OSWALD), 105-1950 (CUBAN MATTERS)

ALL NEGATIVE ON ALLEGED TELETYPE SENT FROM FBIHQ TO ALL SAC'S ON 11-17-63.

REC-10 62-109060-7317

NO SKIPS IN SERIALIZATION OF ABOVE FILES AND NO SIMILAR TELETYPE RECEIVED.

5 OCT 1 1975

END

20 OCT 14 1975

Assoc. Dir. ____
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Legal Coun. ____
Telephone Rm. ____
Director Sec'y ____

PLAINTEXT TELETYPE URGENT

9/29/75

TO SAC, HONOLULU

1-Mr. Nettles

FROM DIRECTOR, FBI

ASSASSINATION OF PRESIDENT JOHN F. KENNEDY; 11/22/63, DALLAS, TEXAS

RE BUREAU TELETYPE TO ALL OFFICES 9/27/75.

UPON RECEIPT SUTEL RESULTS OF RECORD CHECKS REQUESTED IN REFERENCED ~~REFERRED~~ TELETYPE.

D

NOTE: As of 5 p.m. 9/29/75, no reply has been received from Honolulu.

ST 115

WEN:amd
(3)

REC-6 62-109060-7318

OCT 1 1975

Assoc. Dir. ____
Dep. AD Adm. ____
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Director ____

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

SEP 29 1975 11:59 P.M.

TELETYPE

OCT 1 1975

ROOM TELETYPE UNIT

GPO : 1975 O

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27

UNITED STATES GOVERNMENT

Memorandum

1 - Mr. Gallagher
1 - Mr. D.W. Moore
1 - Mr. Bassett

TO : MR. CALLAHAN

DATE: 9/2/75

FROM : MR. J. B. ADAMS

SUBJECT: ASSASSINATION OF PRESIDENT KENNEDY

Former SAC Gordon Shanklin telephonically contacted me on 8/29/75 to advise that he had received an inquiry from a Martin Ralbovsky of the "Houston Chronicle," telephone 713-220-7880. Ralbovsky had contacted Shanklin on 8/28/75 concerning his review of the Warren Commission material. He had some questions for Mr. Shanklin concerning a reported statement by then Chief of Police Curry of the Dallas Police Department to the effect that he had been asked to cover up the fact that Oswald had been under surveillance by the FBI prior to the assassination and the Dallas Police Department had not been advised.

Mr. Shanklin advised me that there was no truth to the matter, that it had been fully considered at the time and, in fact, had been reported in the newspapers with the Chief of Police later coming out and issuing a statement that he had not been asked by Shanklin to cover up any such information. Mr. Shanklin indicated he could not be very specific in replying to the reporter without having access to the information in the files. I advised him that he should advise the reporter that there was no truth to the allegation, that the matter had been fully reported on at the time, and that if he had any specific inquiries in connection with the matter he should contact the External Affairs Division at FBI Headquarters. Mr. Shanklin indicated he would so advise the reporter.

ACTION:

None. Information only.

REC-28 7319

SEP 23 1975

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21 OCT 23 1975

GCL x

FERS. REC.

DICTATED TO ME BY NANCY COLLINS, DALLAS OFFICE, 9/17/75 at 2:15 p.m. ON INSTRUCTIONS OF MR. GUNDERSON. THIS WAS DICTATED TO NANCY COLLINS BY A REPORTER. HE WOULDN'T SAY WHERE HE GOT IT.

URGENT 1:45 a.m. EST 11/17/63 HLF ONE PAGE

TO ALL SACS

FROM DIRECTOR

THREAT TO ASSASSINATE PRESIDENT KENNEDY IN DALLAS, TEXAS 11/22/63, MISCELLANEOUS INFORMATION CONCERNING.

INFORMATION HAS BEEN RECEIVED BY THE BUREAU HAS DETERMINED THAT A MILITANT REVOLUTIONARY GROUP MAY ATTEMPT TO ASSASSINATE PRESIDENT KENNEDY ON HIS PROPOSED TRIP TO DALLAS, 11/22-23/63. ALL RECEIVING OFFICES SHOULD IMMEDIATELY CONTACT ALL CIs, PCIs, LOGICAL RACIAL (RADICAL) AND HATE GROUP INFORMANTS AND DETERMINE IF ANY BASIS FOR THREAT. BURE AU SHOULD BE KEPT ADVISED OF ALL DEVELOPMENTS VIA TELETYPE. SUBMIT FD 302s AND LHM. OTHER OFFICES HAVE BEEN ADVISED.

END AND ACKNOWLEDGE PLEASE.

MO
DL
NO
KT TI TU CLR

(in writing at the top of the page was "File 62-0")

Page 7320

FILED

(Reporter inserted the word "radical" when he dictated--he thought word should have been radical instead of racial.)

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27

UNITED STATES GOVERNMENT

Memorandum

Assoc. Dir. ____
Dep. AD Adm. ____
Dep. AD Inv. ____
Asst. Dir.: ____
Admin. ____
Comp. Syst. ____
Ext. Affairs ____
Files & Com. ____
Gen. Inv. ____
Ident. ____
Inspection ____
Intell. ____
Laboratory ____
Plan. & Eval. ____
Spec. Inv. ____
Training ____
Legal Coun. ____
Telephone Rm. ____
Director Sec'y ____

TO : Mr. Gallagher

DATE: 9/18/75

FROM : B. H. Cooke

1 - Mr. Callahan
1 - Mr. Adams
1 - Mr. Jenkins
1 - Mr. Gallagher
1 - Mr. O'Connell
1 - Mr. Cooke
1 - Mr. Nettles
1 - Mr. Bassett
1 - Mr. McDermott
1 - Mr. Wannall

SUBJECT: ASSASSINATION OF
PRESIDENT JOHN F. KENNEDY
11/22/63
DALLAS, TEXAS

Attached is a copy of information which was telephonically furnished to FBIHQ on 9/17/75 by Nancy Collins of the Dallas Office. This information relates to the allegation that a teletype was sent from FBIHQ to the field on 11/17/63 which advised that an attempt might be made to assassinate President Kennedy during his visit to Dallas, Texas on 11/22/63.

SAC Theodore L. Gunderson has advised that the reporter who furnished the attached information also stated that his source told him that several people who were assigned to the New Orleans Office in November, 1963, had knowledge of the alleged teletype. He furnished their names phonetically as follows:

REC-3 62-109060-7320

SEP 20 1975

Agents

Milton Knack
Warren de Brueys
Furman Boggan
Ernie Wall
(FNU) Alderman
Woody Gilmore
Harry Maynard

Clerks

Roy Simon
Ken Kendrick
Tom McCurley

Enclosure 1 ENCLOSURE

WEN:caw (11)

CONTINUED - OVER

62-109060-1313

Memorandum to Mr. Gallagher
Re: ASSASSINATION OF PRESIDENT JOHN F. KENNEDY

A review of pertinent files in this matter reveals that the following personnel were among those interviewed in 1968 when this alleged teletype first came up:

G. Myrywin Alderson
Furman G. Boggan
J. Woodrow Gilmore
Harry G. Maynor
Thomas Cecil McCurley
Ernest C. Wall, Jr.

All of those interviewed denied any knowledge of receipt of such a teletype as the alleged one. McCurley advised that after the publicity District Attorney James Garrison gave the alleged teletype in February, 1968, William S. Walter told him he recalled such a teletype.

All persons who were in the New Orleans Office in November, 1963, were not interviewed in 1968. Instructions were issued to interview all personnel then in New Orleans who were there in November 1963: Maynor because he had been SAC in New Orleans in 1963, and McCurley and another person because they were employed in New Orleans in November, 1963, in the same job (Security Patrol Clerk) as was Walter.

Concerning the initials, "HLF," contained in the first part of the alleged teletype, Communications Section Chief, Alvin C. Frank, Files and Communications Division, advises that these initials would be those of the teletype operator sending the message. No record could be found of a teletype operator at FBIHQ in November, 1963, having the initials "HLF."

The only initials similar are, "HFL," those of Harry F. Louderback, who is still in the Files and Communications Division. No record could be located which would indicate whether or not he worked the midnight to 8:00 a.m. shift on 11/17/63. Louderback is on annual leave until 9/22/75.

ACTION: For information.

1 - C. Callahan
1 - Mr. Adams
1 - Mr. Jenkins
1 - Mr. Gallagher
1 - Mr. O'Connell
1 - Mr. Cooke
1 - Mr. Nettles
1 - Mr. Bassett
1 - Mr. McDermott
1 - Mr. Wannall

Airtel

10/2/75

To: SAC, Jacksonville (89-10)

From: Director, FBI (62-109060)

ASSASSINATION OF PRESIDENT
JOHN F. KENNEDY
11/22/63
DALLAS, TEXAS

Retelcals between FBIHQ and ASAC, Jacksonville, 10/1/75.

Enclosed for Jacksonville is one copy each of the following items pertaining to instant case:

1. Jacksonville teletype to Bureau 2/1/68.
2. Jacksonville airtel to Bureau 2/2/68, with enclosed LHM.
3. Bureau teletype to New Orleans and Jacksonville 3/29/68.
4. Jacksonville airtel to Bureau, 4/16/68.
5. Bureau airtel to Jacksonville, 4/22/68.
6. Jacksonville airtel to Bureau, 4/22/68.
7. Bureau airtel to Jacksonville and New Orleans 9/26/68.
8. Jacksonville airtel to Bureau 9/27/68, and its enclosure - a copy of the original stenographic notes of SAC Secretary Clarissa E. Davidson.

EX-108

REC-36 (62-109060-7321

Enclosures - 8

OCT 3 1975

WEN:cjl (13)

SEE NOTE PAGE 3 . . .

MAILED 6
OCT 02 1975
FBI

Assoc. Dir.
Dep. AD Adm.
Dep. AD Inv.
Asst. Dir.:
Admin.
Comp. Syst.
Ext. Affairs
Files & Com.
Gen. Inv.
Ident.
Inspection
Intell.
Laboratory
Plan. & Eval.
Spec. Inv.
Training
Legal Coun.
Telephone Rm.
Director Sec'y

ROOM TELETYPE UNIT

GPO : 1975 O - 569-929

Airtel to SAC, Jacksonville
RE: ASSASSINATION OF PRESIDENT
JOHN F. KENNEDY

Jacksonville, immediately upon receipt, have secretary Clarissa Davidson make a verbatim transcription of the enclosed stenographic notes in their entirety. Transmit transcription to FBIHQ by telecopier, attention Supervisor William E. Nettles, Jr., General Investigative Division. Of primary concern is the section regarding any information Walter provided concerning whether or not he received a teletype in the New Orleans Office from FBIHQ on 11/17/63, or any other date regarding a plot to assassinate President Kennedy in Dallas, Texas.

Airtel to SAC, Jacksonville
RE: ASSASSINATION OF PRESIDENT
JOHN F. KENNEDY

NOTE: This relates to allegations of former New Orleans FBI clerk William S. Walter about a teletype being sent from FBIHQ to all field offices on 11/17/63, setting forth information that a militant revolutionary group might attempt to assassinate President Kennedy during his trip to Dallas, Texas. Walter was interviewed by then Jacksonville SAC D. K. Brown on 2/1/68, who reported that Walter told him he never saw or received such a teletype. Walter later claimed when interviewed by Memphis Agents that he did receive such a teletype, but was not asked specifically about it when interviewed at Jacksonville. SAC Brown subsequently advised that his secretary, Clarissa Davidson, sat in on the interview and took down Walter's information in shorthand. Brown advised Walter did tell him he never received or saw such a teletype. By airtel of 4/22/68, Jacksonville was instructed to preserve Davidson's stenographic notes regarding this matter and a transcription of them in the event they are ever needed to refute Walter's allegations. Per subsequent Bureau instructions, Jacksonville sent a copy of the stenographic notes to FBIHQ. On 10/1/75, Jacksonville ASAC Kenneth P. Walton was telephonically instructed to send a verbatim transcription of Davidson's notes by telecopier to FBIHQ. ASAC Walter called back later to advise that the only serials remaining in their file in this case were some unrelated FD-302s. All other serials have been destroyed, under the routine file destruction program, including Davidson's stenographic notes and transcription. Additionally, no file destruction log sheets were maintained from 1963-1974. This airtel furnishes a copy of the stenographic notes and related material from FBIHQ files to Jacksonville with instructions that a verbatim transcription be made and sent to FBIHQ by telecopier. Copy of stenographic notes in FBIHQ files were too light to be sent to Jacksonville by telecopier.

FD-36 (Rev. 5-22-64)

FBI

Date: 10/3/75

Transmit the following in _____ (Type in plaintext or code)

Via AIRTEL _____ (Priority)

TO: DIRECTOR, FBI (62-109060)
ATTENTION: Mr. WILLIAM EARL NETTLES, JR.
GENERAL INVESTIGATIVE DIVISION

FROM: SAC, NEW ORLEANS (89-69)

ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY,
DALLAS, TEXAS,
NOVEMBER 22, 1963
MISCELLANEOUS -
INFORMATION CONCERNING
OO: Dallas

A review of New Orleans file in captioned matter revealed that 52 signed statements were obtained from employees assigned to the New Orleans Division on 11/17/63 denying that they knew or had ever seen a teletype received by this office alleging that an attempt would be made to assassinate President JOHN F. KENNEDY at Dallas, Texas, on 11/22/63. These statements were furnished in 1968 at the time WILLIAM S. WALTER first made his allegation regarding the existence of such a teletype. In addition to the 52 signed statements, two employees who were attending In-Service Training were interviewed orally.

The following is a list of the employees who furnished signed statements regarding this matter.

REC-85 62-109060-T322

Special Agents:

1. G. MYRYWIN ALDERSON (Retired)
2. MICHAEL BARON

OCT 6 1975

2-Bureau
1-New Orleans
ECW:gas

5 OCT 15 1975

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

U.S. Government Printing Office: 1972 — 455-574

NO 89-69

3. EMIL HENRY BECKER
4. FURMAN G. BOGGAN (Retired)
5. NATHAN O. BROWN
6. STEPHEN M. CALLENDER
7. GEORGE M. CAMPBELL
8. EARL COX
9. LESTER G. DAVIS (Retired)
10. WILLIAM E. DENT, JR. (Retired)
11. MERRIMAN D. DIVEN
12. J. WOODROW GILMORE
13. TROY H. GIST (Retired)
14. KEVIN J. HARRIGAN
15. RONALD A. HOVERSON
16. REED W. JENSEN
17. THURMAN P. KELLEY (Retired)
18. REGIS L. KENNEDY (Retired)
19. PAUL R. LANCASTER
20. ELMER B. LITCHFIELD
21. LELAND A. LYNN
22. JOHN WILLIAM MILLER
23. OTIS LEROY PAGE
24. JOSEPH G. PEGGS (Retired)

NO 89-69

25. EARL R. PETERSEN

26. JAMES M. SCHEFFER

27. L. M. SHEARER, JR. (Retired)

28. RICHARD A. SMALLWOOD (Retired)

29. JOHN W. SMITH

30. JOSEPH T. SYLVESTER, JR.

31. ERNEST C. WALL, JR.

32. McINNIS L. WARD

33. JAMES A. WOOTEN

34. JAMES FRANCIS WRIGHT

Clerical Employees:

35. HARRY L. ARNOLD (Retired)

36. NELVA JEAN AYO

37. NELLIE RUTH BARBER

38. JOANN BISHOP (Resigned - Deceased)

39. ROSEMARY BOOTH

40. LOIS ANN FADAOL

41. DOROTHY M. GUILLOT (Resigned)

42. JEAN BUCKLEW HEARN

43. LEO W. HEBERT

44. URNA S. HOGAN

45. BETTY N. KENDRICK (Resigned)

46. SHIRLEY A. MONTBLANC

47. CHARLES L. MURRAY

NO 89-69

48. JOAN ANN MURRAY

49. D. ANN OURSO

50. LINDA ROSE SALATHE

51. GERMANIA ANN SMITH

52. JOHN S. THEOBALD

Special Agents interviewed orally:

53. EARL L. HASSELL, JR.

54. DONALD L. HUGHES

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

SEP 25 1975

Assoc. Dir.	
Dep. A.D.-Adm.	
Dep. A.D.-Inv.	
Asst. Dir.:	
Admin.	
Comp. Syst.	
Ext. Affairs	
Files & Com.	
Gen. Inv.	
Ident.	
Inspection	
Intell.	
Laboratory	
Plan. & Eval.	
Spec. Inv.	
Training	
Legal Coun.	
Telephone Rm.	
Director Sec'y	

WR 3D6 ME PLAIN

7:15 PM NITEL SEPTEMBER 25, 1975

TO: DIRECTOR (62-109060) TELETYPE

FROM: MEMPHIS (44-1166) (C)

ATTENTION: EXTERNAL AFFAIRS.

REC-100

ASSASSINATION OF PRESIDENT JOHN FITZGERALD KENNEDY,
NOVEMBER 22, 1963, DALLAS, TEXAS.

ON SEPTEMBER 25, 1975, SA WILLIAM D. MULKINS, MEMPHIS OFFICE, RECEIVED A TELEPHONE CALL FROM INDIVIDUAL IDENTIFYING HIMSELF AS MARTIN PHILLIPS (PHONETIC) OF CBS NEWS DIVISION, NEW YORK CITY. TENN

CALLER STATED CBS PREPARING DOCUMENTARY ON ASSASSINATION AND HAD CONTACTED WILLIAM WALTER REGARDING WALTER'S HAVING BEEN INTERVIEWED BY SA MULKINS AT NASHVILLE, TENNESSEE, DURING 1968. CALLER STATED WALTER HAD A PIECE OF PAPER WITH SA MULKIN'S NAME ON IT WHICH INDICATED SA MULKINS HAD LEFT MESSAGE FOR WALTER TO CONTACT HIM. REC-114 62 109060-7323

PHILLIPS STATED HIS INQUIRY CONCERNED MARK LANE'S STATEMENT THAT PRIOR TO THE ASSASSINATION, WALTER HAD SEEN AN FBI COMMUNICATION INDICATING THERE MIGHT BE AN ATTEMPT ON THE PRESIDENT'S LIFE WHEN HE VISITED TEXAS.

3 OCT 6 1975

Page

SA MULKINS TOLD PHILLIPS HE DID RECALL HAVING HAD OCCASION TO CONTACT A MAN NAMED WALTER BUT HE COULD NOT RECALL THE EXACT NATURE OF THE INQUIRY OR THE REASON HE HAD DESIRED TO CONTACT WALTER. HE FURTHER ADVISED PHILLIPS THAT DUE TO THE LENGTH OF TIME SINCE 1968, HE COULD MAKE NO COMMENT OR FURNISH ANY INFORMATION CONCERNING WALTER OR HIS CONTACT WITH HIM.

AS THE BUREAU IS ALREADY AWARE, WILLIAM WALTER IS THE FORMER FBI CLERK OF THE NEW ORLEANS OFFICE WHO WAS INTERVIEWED BY SA MULKINS AT NASHVILLE, TENNESSEE, ON MARCH 26, 1968, AND AGAIN ON MAY 16, 1968. RESULTS OF THESE INTERVIEWS WERE FURNISHED TO THE BUREAU.

END.

PLS ACK FOR TWO

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Gallagher

FROM : B. H. Cooke

DATE: 9/25/75

SUBJECT: ASSASSINATION OF
PRESIDENT JOHN F. KENNEDY
11/22/63
DALLAS, TEXAS

1 - Mr. Callahan
1 - Mr. Adams
1 - Mr. Jenkins
1 - Mr. Gallagher
1 - Mr. O'Connell
1 - Mr. Cooke
1 - Mr. Gow
1 - Mr. Bassett

Reference is made to 9/18/75 memorandum from B. H. Cooke to Mr. Gallagher and 9/22/75 letter from the Director, FBI, to the Attorney General, which set forth pertinent information concerning an allegation that a teletype dated 11/17/63 had been sent to all SACs concerning a possible attempt to assassinate President Kennedy in Dallas, Texas, 11/22-23/63.

Additional review of referenced material and related documents regarding the alleged teletype received in New Orleans on 11/17/63 fails to reflect that Roy Joseph Simon, a clerical employee assigned to our New Orleans Office in 1963, was ever interviewed concerning such a communication. Review of Bureau personnel records reflects Simon entered on duty 10/21/61 at New Orleans as a clerical employee and tendered his resignation on 6/7/67.

REC-111 62-116065-7323X

In regard to former Bureau clerical employee, William S. Walter, review of referenced material and related documents reflect Walter appeared at the office of U. S. Attorney, Louis C. LaCour, Eastern District of Louisiana, New Orleans, Louisiana, on 3/15/68 in connection with the teletype he allegedly received on 11/17/63 at New Orleans. According to AUSA Gene S. Palmisano, who was present at the above meeting, Walter stated he definitly remembered the receipt of such a teletype but did not recall what action he took concerning it. He stated he would normally telephonically contact the SAC, New Orleans, who was Harry Maynor, at that time.

OCT 30 1975

WDG:amd (9)

CONTINUED - OVER

PERS. REC. UNIT

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

55 DEC

Further review of this material reflects Walter did not mention or identify any other Bureau employees as having knowledge of this teletype. It is to be noted, however, that Walter was interviewed by Bureau Agents on 3/26/68, at which time he stated he knew of other clerical employees who had knowledge that such a teletype was received. He refused to identify them.

Concerning the initials of the New Orleans employee who received Bureau teletype to all offices dated 11/22/63 entitled; "Assassination of President John F. Kennedy," SA John Edward Cox, Relief Supervisor, New Orleans, advised as follows:

Review of New Orleans records reflects two teletypes under the above caption were received on 11/22/63. The first teletype received at 8:10 p.m. was scrambled; however, the second, a clear copy, was received at 8:44 p.m. New Orleans time. The receiver's initials on both teletypes are TJB. According to Cox, the receiver was Thomas J. Bevans, a security patrol clerk at New Orleans in 1963, who is currently an SA assigned to the Los Angeles Division.

Cox further advised in regard to action taken a review of the above teletypes reflects the first one was block stamped and bears the initials of former SAC, Harry Maynor. The second teletype also reflects a block stamp bearing the initials JR, which Cox feels stand for SA John Reynolds, who has since retired. This teletype also bears the notation; "8:30 a.m., 11/23/63, Jerry or Jerry's, Yazoo, Miss." Cox pointed out that this probably refers to a Resident Agency at Yazoo, Mississippi, as New Orleans covered the Southern District of Mississippi in 1963.

New Orleans is submitting copies of both teletypes.

ACTION: For information.

JKH JEO'C - for PC

September 24, 1975

Honorable Donald J. Mitchell
House of Representatives
Washington, D. C. 20515

Dear Congressman Mitchell:

Your letter of September 4th, to the Department of Justice, has been referred to this Bureau for our comments as you requested.

As I am sure you are aware, the FBI conducted a thorough investigation into the assassination of President Kennedy and furnished numerous reports to the Warren Commission. The Commission, after careful study of these reports and information from other agencies and sources, arrived at the conclusion that Lee Harvey Oswald acted alone in committing this heinous act.

In the interest of thoroughness and justice, the FBI conducts follow-up inquiries into new allegations regarding the assassination when appropriate. However, thus far there have been no developments which would raise doubts as to the conclusions of the Warren Commission or warrant the reopening of a full investigation.

I have also furnished a copy of this letter to the Department of Justice and I appreciate your soliciting my views.

Sincerely yours,

2 ENCLOSURE

Clarence M. Kelley
Director

MAILED 6
SEP 25 1975
FBI

REC-20 62-109060-7324

SEP 30 1975

Assoc. Dir. ____
Dep. AD Adm. 1
Dep. AD Inv. 1
Asst. Dir.: 1 Cong.
Admin. ____
Comp. Syst. 1
Ext. Affairs ____
Files & Com. ____
Gen. Inv. ____
Ident. ____
Inspection ____
Intell. ____
Laboratory ____
Plan. & Eval. ____
Spec. Inv. ____
Training ____
Legal Coun. ____
Telephone Rm. ____
Director Sec'y ____

1 - Albany - Enclosures (2)
1 - Assistant Attorney General - Enclosures (2)
Criminal Division
1 - Office of Legislative Affairs - Enclosures (3)
Room 1139
Department of Justice
Original letter and your original control slip returned to you by Liaison representative, 9-19-75
1 - Office of Congressional Affairs - Enclosures (3)

NOTE: Letter coordinated with Personal Crimes Unit of the General Investigative Division.

(9)

UNIT

GPO : 1975 O - 569-920

Asso. Dir. ____
Dep. AD Adm. ____
Dep. AD Inv. ____
Asst. Dirs.
Admin. ____
Comp. Syst. ____
Ext. Affairs ____
Files & Com. ____
Gen. Inv. ____
Ident. ____
Inspection ____
Intell. ____
Laboratory ____
Legal Coun. ____
Plan. & Eval. ____
Spec. Inv. ____
Training ____
Telephone Rm. ____
Director Sec'y ____

HJMR

original & entire communication returned to OLA together with representations since Mitchell requested. Enclosed Xerox file

FROM	DATE OF DOCUMENT	SUSPENSE DATE
1 CONG. DONALD J. MITCHELL	9/4/75	9/24/75
TO	**DATE RECEIVED**	**CONTROL NO.**
Mr. Miesse	9/9/75	12,006
DESCRIPTION	**REFERRED TO**	**DATE**
X RE: the Dept.'s official position on JFK assassination.	~~Criminal~~	~~9/9/75~~
	FBI	9-12
REMARKS		
PLEASE RETURN COPY OF REPLY AND THIS FORM TO OLA-Room 1139	PREPARE REPLY FOR SIGNATURE OF	
	~~Criminal~~ FBI	

MAIL CONTROL — REPLACES AD-820 WHICH MAY BE USED — DJ-295 7-8-75

let to Mitchell
9-22-75
Cont: Ecl

ENCLOSURE
62-109060-7324

31st District, New York

COMMITTEES:
ARMED SERVICES
SUBCOMMITTEE ON INVESTIGATION
SUBCOMMITTEE ON MILITARY COMPENSATION
STANDARDS OF OFFICIAL CONDUCT
ASSISTANT REGIONAL WHIP

Congress of the United States
House of Representatives
Washington, D.C. 20515

The Longworth House Office Building
Washington, D.C. 20515
Telephone (202) 225-3665

District offices:
270 North Main Street
Herkimer, New York 13350
(315) 866-1681

100 West Main Street
Johnstown, New York 12095
(518) 762-4388

200 Church Street
Rome, New York 13440
(315) 336-6013
(Mon-Wed-Fri)

6 Steuben Park
Utica, New York 13501
(315) 724-6565

September 4, 1975

Mr. Larry Miesse
Congressional Mail Director
Department of Justice
1507 OLA
Washington, D.C. 20530

Dear Mr. Miesse:

In the past few weeks I have been receiving a number of requests from my constituents asking that I introduce legislation that would re-open investigation into the assassination of the late President John F. Kennedy, in light of recent speculation about the possible involvement of a conspiracy, and alleged knowledge of Oswald's presence in Dallas as well as the possible threat therein.

Before taking such a step, I would like to get the official position of the Justice Department and the Federal Bureau of Investigation on this new evidence and the general subject of re-activating the investigation. I would like to receive your statement as soon as possible.

Thank you for your cooperation in this matter.

Sincerely,

Donald J. Mitchell
Member of Congress

DJM:dk

62-109060-1324

DONALD J. MITCHELL
[illegible] DISTRICT, NEW YORK

[illegible] Longworth House
Office Building
Washington, D.C. 20515
Telephone (202) [illegible]

Congress of the United States
House of Representatives
Washington, D.C. 20515

September 4, 1975

Mr. Larry Wiesse
Congressional Mail Director
Department of Justice
Washington, D. C. 20530

Dear Larry:

Enclosed please find the letter of inquiry concerning the Department's official position on the JFK assassination which we discussed on the telephone.

I'd appreciate it if you could send it around as soon as possible. You can just send the responses to me.

Thanks very much for your trouble.

Sincerely,

Deborah Kingsland

Deborah Kingsland

dk

RECEIVED
SEP 9 1975
CRIMINAL DIVISION

RECEIVED
SEP 8 [illegible]
Legis. & Spec. Prol. Sect.
Crim. Div.

129-11
DEPARTMENT OF JUST.
8 SEP 8 1975
R.A.O.
OFFICE OF LEGISLATIVE AFFAIRS

CRIMINAL SEC. FBI/DOJ SEC.

[illegible] 7324

NR008 MO PLAIN

725PM URGENT 9/25/75 FVW

TO: DIRECTOR

FROM: MOBILE (89-25) (RUC)

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

SEP 25 1975

TELETYPE

Dep.-A.D.-Adm.
Dep.-A.D.-Inv.
Asst. Dir.:
Admin.
Comp. Syst.
Ext. Affairs
Files & Com.
Gen. Inv.
Ident.
Inspection
Intell.
Laboratory
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Spec. Inv.
Training
Legal Coun.
Telephone Rm.
Director Sec'y

ASSASSINATION OF PRESIDENT JOHN FITZGERALD KENNEDY, NOVEMBER 22, 1963, DALLAS, TEXAS.

REBUTELCALL SEPTEMBER 25, 1975.

A COMPLETE SERIAL BY SERIAL REVIEW OF ALL VOLUMES OF THE 62-0 FILE IN MOBILE OFFICE FOR PERIOD OF DECEMBER 1, 1962 THROUGH FEBRUARY 28, 1964, WAS CONDUCTED. NO MISSING SERIALS WERE DETECTED AND ALL ''CHARGED OUT'' SERIALS WERE LOCATED AND ACCOUNTED FOR.

ADDITIONALLY, A COMPLETE SEARCH OF FILES IN THE FOLLOWING CLASSIFICATIONS FOR THE MONTHS OF OCT. THROUGH DEC., 1963, WAS MADE: 62, 89, 100-0, 105-0, 157-0, AND 174-0.

THESE SEARCHES FAILED TO LOCATE A COPY OF A TELETYPE FROM THE DIRECTOR TO ALL SACS DATED NOV. 17, 1963, CAPTIONED ''THREAT TO ASSASSINATE PRESIDENT J.F. KENNEDY, DALLAS, TEXAS; MISCELLANEOUS INFORMATION''.

REC 17

62-109060-7325

EX-106

5 OCT 1 1975

5 OCT 17 1975

AN AIRMAIL COPY OF A TELETYPE FROM SAC, DALLAS. TO DIRECTOR DATED NOV. 17, 1963, AND CAPTIONED ''UNSUB; BOMB IN BAKER HOTEL, DALLAS, TEXAS, NOV. 17, 1963. BOMBING MATTERS-THREAT,'' WAS LOCATED. THIS TELETYPE RELAYED DALLAS PD INFORMATION WHICH REPORTED THE RECIEPT OF AN ANONYMOUS PHONE CALL BY ONE FNU MC KINNON ADVISING, ''THERE WILL BE A BOMB IN THE BAKER TOMORROW.'' ACCORDING TO DALLAS PD, MC KINNON REPORTEDLY WAS ON THE WELCOMING COMMITTEE FOR ALABAMA GOVERNOR GEORGE WALLACE, WHO ARRIVED IN DALLAS THE EVENING OF NOV. 17, 1963, AND WAS STAYING AT THE BAKER HOTEL.

END.

HOLD

LXS FBIHQ

Assoc. Dir. ____
Dep.-A.D.-Adm. ____
Dep.-A.D.-Inv. ____
Asst. Dir.:
Admin. ____
Comp. Syst. ____
Ext. Affairs ____
Files & Com. ____
Gen. Inv. ____
Ident. ____
Inspection ____
Intell. ____
Laboratory ____
Plan. & Eval. ____
Spec. Inv. ____
Training ____
Legal Coun. ____
Telephone Rm. ____
Director Sec'y ____

TELETYPE

KNR001 JK PLAIN

12:19 PM URGENT 9-28-75 RCM

TO DIRECTOR

ATTN: GENERAL INVESTIGATIVE DIVISION

FROM JACKSONVILLE (89-10)

ASSASSINATION OF PRESIDENT JOHN F. KENNEDY, 11/22/63, DALLAS, TEXAS.

RE BUREAU TELETYPE, 9-27-75.

REVIEW LOGICAL FILES JACKSONVILLE DIVISION CONDUCTED AND FAILED TO REFLECT ANY RECORD OF SUCH A TELETYPE REFERRED TO IN REFERENCE.

END

REC-46 62-109060-7326

1ST-III

5 OCT 16 1975

F247

NR001 PH CODE

1240 PM URGENT SEPTEMBER 26, 1975 DCC

TO DIRECTOR

FROM PHILADELPHIA

ATTN: GENERAL INVESTIGATIVE DIVISION

ASSASSINATION OF PRESIDENT JOHN F. KENNEDY, 11/22/63, DALLAS, TEXAS.

RE BUREAU TELETYPE TO ALL SAC'S 9/27/75.

REVIEW OF PH 62-0, 89-0, 157-916 (MAIN FILE ON ASSASSINATION OF PRESIDENT JOHN F. KENNEDY) AND OTHER LOGICAL PHILADELPHIA FILES FAIL TO LOCATE A RECORD OF TELETYPE ALLEGEDLY SENT FROM FBI HQ TO ALL SACS ON 11/17/63 CONCERNING POSSIBLE ASSASSINATION OF PRESIDENT JOHN F. KENNEDY BY A MILITANT REVOLUTIONARY GROUP DURING HIS PROPOSED TRIP TO DALLAS, TEXAS IN NOV., 1963.

SAC PHILA HAS NO PERSONAL RECOLLECTION OF ANY TELETYPE AS SET OUT IN RETEL.

END

ST 115

REC-41 62-109060-7327

REC-46

Dep.-A.D.-Adm.
Dep.-A.D.-Inv.
Asst. Dir.:
Admin.
Comp. Syst.
Ext. Affs.
Files & Com.
Gen. Inv.
Ident.
Inspection
Intell.
Laboratory
Plan. & Eval.
Spec. Inv.
Training
Legal Coun.
Telephone Rm.
Director Sec'y

6-NR-1

57001 - 6 1975 FBI

FD-65 (Rev. 6-22-64)

FBI

Date: 9/25/75

Transmit the following in _____ (Type in plaintext or code)

Via AIRTEL AIRMAIL (Priority)

TO: DIRECTOR, FBI (62-109060)

FROM: SAC, JACKSON (175-5)(C)

ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY
11/22/63
DALLAS, TEXAS;
MISCELLANEOUS - INFORMATION CONCERNING

On 9/24/75, THOMAS CECIL MC CURLEY, former clerk with the FBI, telephonically contacted the Jackson Office and advised he had been contacted by a representative of the press concerning a communication allegedly received by the New Orleans Office in 1963 which was reported to the press by a former employee of the FBI, WILLIAM S. WALTER.

MC CURLEY was contacted by SA HAROLD M. RATCHFORD on 9/24/75, at which time he furnished the following information:

He was previously employed as a clerk with the FBI in Washington, D.C., from November, 1960, to October, 1961; in the New Orleans Office from January, 1962, to July, 1964; and in the Jackson Division from July, 1964, to January, 1966, at which time he moved back to New Orleans, Louisiana.

ST-111 REC-36 62-109060-7328

While employed in the New Orleans Division, he worked the shift from 4:00 P.M. to 12 o'clock midnight, and

2 - Bureau
1 - Dallas (89-43) (Info)
1 - New Orleans (89-69) (Info)
1 - Jackson (175-5)
HMR/val
(5)

21 SEP 29 1975

Approved: 5 OCT 14 1975 Sent _____ M Per _____

U.S.Government Printing Office: 1972 — 455-574

WILLIAM S. WALTER worked the shift from 12 o'clock midnight to 8:00 A.M.

WALTER reported to Attorney MARK LANE that he had observed a teletype received by the New Orleans Division stating that an attempt would be made on the life of President KENNEDY and that all offices should be aware of this.

MC CURLEY advised that he had never seen such a communication; however, WALTER, for some unknown reason, would say to him, "You remember that teletype that came in concerning attempt to assassinate President KENNEDY".

WILLIAM S. WALTER, in his opinion, likes attention and is very outspoken.

WALTER left the FBI in 1966, divorced his wife, moved to Nashville, Tennessee, and the last he had learned was that WALTER is currently residing in Patterson, Louisiana, and has remarried.

Approximately two weeks ago MC CURLEY received a telephone call at his office from one JOHN AINSWORTH, from the Dallas Times Herald, who stated he inquired of MC CURLEY as he had worked with BILL WALTER. AINSWORTH indicated that BILL WALTER called the Dallas newspaper from New Orleans and indicated to him that he had a document concerning a possible attempt on the life of President KENNEDY in November, 1963.

MC CURLEY advised AINSWORTH that he did not know of any such document, and if he did know, "I would not tell anyone about it because I had signed a document upon my leaving the FBI not to disclose confidential material".

MC CURLEY advised AINSWORTH that WALTER is quite outspoken and likes attention.

AINSWORTH advised MC CURLEY that he feels the same way about WALTER.

AINSWORTH advised that in his telephone conversation with WALTER, WALTER indicated that MC CURLEY

knew about the communication and that MC CURLEY's roommate also knew about it.

AINSWORTH inquired of MC CURLEY who his roommate was at that time, and he advised AINSWORTH that one KEN KENDRICKS was his roommate at that time. AINSWORTH also stated that WALTER indicated that the person who worked the day shift may have seen this communication. AINSWORTH inquired of MC CURLEY if he knew who this person was, and MC CURLEY told him ROY SIMON.

AINSWORTH advised MC CURLEY that he could not believe WALTER's story.

On 9/24/75, he received a call from an individual who gave his name, but MC CURLEY could not recall it, who stated that he was calling for DAN RATHER of the CBS News.

MC CURLEY received this call at his office, and the caller indicated that he was calling from New York and that he had checked with Dallas and got some information concerning a communication regarding the assassination of President KENNEDY.

The caller indicated that he had a copy of this teletype in question on his desk and read it to MC CURLEY.

To the best of MC CURLEY's recollection, the caller stated the following:

"Threat to the President of the United States, 11/22,23/63. This is to advise that a militant organization has threatened the life of President Kennedy, 11/22,23/63. This is for information."

MC CURLEY advised that the communication was short, however, had Bureau terminology.

MC CURLEY advised that he told the caller that he had never seen such a communication while employed with the FBI.

JN 175-5

MC CURLEY advised that he currently resides at [redacted] Jackson, Mississippi, and is employed as a systems analyst with the [redacted], Jackson, Mississippi.

MC CURLEY added that the last contact he had with WALTER was in either 1968 or 1969, in that WALTER owed him approximately $300 to $350 in which they both purchased a sailboat in 1966; however, WALTER defaulted on his payments to MC CURLEY..

No further action is being taken by the Jackson Division, UACB.

UNITED STATES GOVERNMENT

Memorandum

1 - Mr. Bassett
1 - Mr. Gallagher

TO : MR. CALLAHAN

DATE: 9/24/75

FROM : MR. J. B. ADAMS

SUBJECT: JOHN F. KENNEDY ASSASSINATION MATTER

On 9/22/75, Tom Johnson, publisher, "Dallas Times Herald," advised me that his source, not identified to me by name, but who could only be former clerk William S. Walter based on information furnished, had advised Mr. Johnson of his continuing concern over possible prosecutive action in the event he made available an actual New Orleans copy of an alleged teletype to All SACs dated November 17, 1963, warning that information had been received by the Bureau that militant revolutionary group may attempt to assassinate President Kennedy on his proposed trip to Dallas, Texas.

Mr. Johnson advised that Walter claims to have such a document and has considered destroying it because of his concern over possible prosecutive action. I advised Mr. Johnson that a thorough inquiry was conducted in 1968 without any evidence being developed that such a teletype had ever existed and it was therefore most important that if Walter claimed to have such a document in his possession that we continue our efforts to secure this copy in order that appropriate examinations could be made to determine whether it was authentic. Therefore, I intended to contact the Department of Justice to ascertain whether approval could be obtained to inform Walter that he would not be prosecuted for taking or possessing the alleged document if he made it available at this time.

65-[illegible]-7329

REC-28 7 SEP 30 1975

On 9/22/75 I contacted Deputy Attorney General Tyler, made available to him background information concerning the 1968 inquiry as well as the fact that Walter now claims to have an actual copy of the alleged teletype to All SACs. I informed Mr. Tyler that Walter claims to have reservation about making such a document available to the FBI because of his fear of possible prosecutive action. I requested to be advised whether the Department would authorize some type of immunity from prosecution in the event Walter made the alleged document available.

JBA:mah
(4)

See addendum, page 6

CONTINUED - OVER

PERS. REC. UNIT

Memorandum for Mr. Callahan
RE: JOHN F. KENNEDY ASSASSINATION MATTER

On 9/23/75, Judge Tyler contacted me and advised that after a review of the matter in the Criminal Division of the Department he would authorize me to inform Walter that in the event he promptly made available the alleged copy of a teletype to All SACs dated November 17, 1963, he would not be prosecuted for purloining, possessing or not previously making available this alleged stolen document. However, this immunity would not extend to any other activity such as furnishing false information to the FBI during this current inquiry.

On 9/23/75 I advised Mr. Johnson of the authorization I had received from Mr. Tyler and he advised me that he would contact his source who had previously indicated a willingness to talk to me to see if he would now be willing to receive these assurances and make the alleged document available. Mr. Johnson called me back late on 9/23/75 and asked that I attempt to have his source connected on a conference call in order that this matter might be discussed as he had indicated a willingness to proceed. He furnished me the telephone number of the source which was area code 504-395-5530. A conference call was thereupon established by the FBI Headquarters operator between Mr. Johnson, Mr. Walter and myself. I identified myself to Mr. Walter by name and position and informed him of the fact that I had been authorized by Deputy Attorney General Tyler to state that he, Walter, could be assured that if he promptly made available the alleged New Orleans copy of a teletype to All SACs dated November 17, 1963, that he would not be prosecuted for purloining, possessing or failing to have made it available previously to the FBI but that this immunity would not extend to other activity on his part including furnishing false information to the FBI concerning any current inquiries. Mr. Walter immediately stated that he was not saying he was in possession of any documents, and during the ensuing conversation never admitted that he was currently in possession of any FBI documents. I impressed upon him that I had gone to a lot of trouble securing immunity authorization from the Deputy Attorney General after being assured that the alleged teletype copy would be produced should such immunity be obtained. Further that by now stating he was not claiming to be in possession of any such document, he was obviously playing games with me. He stated he hasn't claimed to be in possession of any such documents and I told him that Mr. Johnson, a reputable newsman, had advised me

that he had a source who claimed to have an actual copy of the alleged teletype in question who was concerned about possible prosecutive action and wanted assurances he would not be prosecuted if he made the copy available. Mr. Johnson did not identify the source to me by name but indicated if I secured immunity authorization he would arrange a conference with the source. Thereafter, upon obtaining authorization and so notifying Mr. Johnson he arranged the conference which was then taking place which included Mr. Walter. By now not making the document available or agreeing to do so he was merely playing a game.

Mr. Walter wanted to know why the FBI did not go out and reinvestigate this matter at this time and I told him that the matter had been thoroughly investigated in the past and he is the only individual who claims to have personal knowledge that such an alleged teletype existed. The most logical step, therefore, to resolve whether he, in fact, is right and the prior FBI investigation is wrong would be for him to produce the alleged document in order that an examination of it could be conducted to determine whether it is, in fact, bona fide. I pointed out that he is the one making this serious allegation and he has a responsibility to assist in resolving the allegation. He still would not admit that he was in possession of such a document but if he hears of anyone who is he will advise them that they too would have a possibility of obtaining immunity from any prosecution for being in possession of such a document.

During the course of the conversation Mr. Walter denied that he had ever informed Mark Lane that he had actual possession of the teletype copy in question.

Mr. Walter reiterated an allegation he had previously made that during an interview of him by former SAC D. K. Brown that he had not been asked whether he had actually seen the alleged teletype in question.

Mr. Walter was advised that at the time of the inquiry by the FBI into this matter he had indicated that other employees were aware of the existence of the alleged teletype yet refused to furnish the identity of any individuals having such knowledge. Mr. Walter

replied that he had made the identities of such individuals known to the office of the United States Attorney in New Orleans during their interview of him. I asked him if he would submit to an interview under oath by Agents of the New Orleans Office after being advised of his rights and would he at that time furnish complete information regarding his allegations as well as the names of individuals he now claims to be personally knowledgeable concerning the existence of the alleged teletype. Mr. Walter advised that he would submit to such an interview after the FBI complies with his FOI request and review by him of the results of the prior investigation by the FBI.

Mr. Walter also felt that review of the investigation would show that the FBI had determined that such a teletype existed. I reiterated to him that the results of our investigation failed to disclose any evidence whatsoever that any such teletype had ever been in existence.

Mr. Walter felt that employees previously interviewed by the FBI concerning this matter probably did not tell the truth because they felt that the Bureau at that time did not want to know the truth. He felt that the truth would come out if they were again interviewed under oath and assured that no action would be taken against them for their former statements.

Mr. Walter advised me that other elements of the news media were aware of this matter and would probably be making inquiry of the Bureau. I told him that I felt that the Bureau would have no difficulty in responding to such inquiries since our prior investigation had revealed no evidence of the existence of the alleged teletype and further since he is the only individual who has alleged personal knowledge that such a teletype existed. Further, he had actually claimed to have a copy of the teletype in his possession and after being assured that no prosecution would result upon his making that copy available refused to do so. Mr. Walter stated that any such statement by me could be considered libelous and I advised him that it would not be libelous because I had been so advised by a reputable individual who has established his reliability in the past therefore my statement would not be motivated by malice.

Memorandum for Mr. Callahan
RE: JOHN F. KENNEDY ASSASSINATION MATTER

Following the termination of the conversation with Mr. Walter, Mr. Johnson reiterated to me that Mr. Walter had stated to him that the actual New Orleans copy of the alleged teletype was under his possession or control. Mr. Johnson also advised me that the alleged teletype copy as well as other possible documents are allegedly maintained by Mr. Walter in a lock box in Patterson, Louisiana, or New Orleans, Louisiana.

ACTION:

Information only.

jmm

OVER

ADDENDUM 9/24/75 JBA:mah

On 9/24/75 I contacted Charles Culotta, Patterson, Louisiana, an attorney whose name was furnished me by Mr. Walter as his legal representative in this matter. I advised Mr. Culotta of the immunity authorization made by Deputy Attorney General Tyler and aspects of my conversation with Mr. Walter the previous evening. I likewise indicated that Mr. Walter is not claiming to have any actual documents. He was aware that Mr. Walter had stated he was agreeable to being interviewed under oath concerning material aspects of this matter once he had been furnished results of the 1968 investigation. I asked him if he could assure me that Mr. Walter would make himself available for testimony under oath because I felt that I had been turned around last night having been previously advised that Mr. Walter was willing to make available the actual New Orleans copy of the alleged teletype upon being granted immunity from prosecution for possessing it. Before I presented this matter to the Department I wanted his assurance as Mr. Walter's attorney that he would carry out his offer. He advised me that he would get in touch with Mr. Walter and would then communicate with me.

Mr. Culotta advised that the FOI request was not intended to include current inquiries concerning this matter and need only involve information available up to the date of the request which he believes was in April, 1975.

UNITED STATES GOVERNMENT

Memorandum

1 - Mr. Bassett
1 - Mr. Gallagher

TO: MR. CALLAHAN

DATE: 9/25/75

FROM: MR. J. B. ADAMS

SUBJECT: JOHN F. KENNEDY ASSASSINATION MATTER

At 6:49 p.m., 9/24/75, I spoke with William S. Walter's attorney, Charles Culotta, on the telephone. You will recall he had indicated in my conversation with him on the early afternoon of 9/24/75 that he, Culotta, was going to contact Walter to determine if he, Walter, would be willing to be interviewed under oath, provide a statement under oath, as well as furnish the copy of the teletype he has claimed to have in his possession.

REC-6 62-107716 7328X

Culotta indicated he had contacted Walter and as a result assured that (1) no copy of the teletype in question is in existence and (2) Walter was the teletype operator who received the message, called various individuals notifying them of the message, and made notations on the teletype as to the identities of the individuals called.

FEB 24 1976

While no Government copy of the teletype is in existence, Walter claims to have an exact replica of the teletype. I specifically asked Culotta if he or Walter will directly furnish to the FBI the replica of that teletype plus the names of everyone Walter now claims had possession of the teletype or personal knowledge of the teletype or whom he claims he discussed the teletype with. Culotta stated he will again contact Walter to determine if he will provide the above detailed information and if he will make available the exact replica of the teletype. Culotta stated he will not give the FBI the opportunity to interview Walter under oath or to secure a statement under oath until such time as Walter has had an opportunity to review the documents he has requested of the FBI under the Freedom of Information Act, and further he still reserves the decision regarding an interview and/or statement under oath even after he has reviewed the FOI documents. Culotta indicated he would recontact me and provide me with the results of his contact with Walter regarding the above and our conversation was terminated at 7:18 p.m., 9/24/75.

ACTION:

None. For information.

56 APR PLM 1976
(4)

62-107060

PERS. REC. UNIT

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Gallagher

FROM : B. H. Cooke

DATE: September 18, 1975

SUBJECT: ASSASSINATION OF
PRESIDENT JOHN F. KENNEDY
11/22/63
DALLAS, TEXAS

1 - Mr. Callahan
1 - Mr. Adams
1 - Mr. Jenkins
1 - Mr. Gallagher
1 - Mr. O'Connell
1 - Mr. Cooke
1 - Mr. Nettles
1 - Mr. Bassett
1 - Mr. McDermott
1 - Mr. Wannall

Reference is made to B. H. Cooke to Mr. Gallagher memorandum of 9/15/75, concerning allegations that a teletype was sent from FBIHQ on 11/17/63 which stated an attempt would be made to assassinate President Kennedy when he visited Dallas, Texas, on 11/22/63.

On 9/15 and 16/75, the General Investigative Division reviewed all communications which were sent from FBIHQ designated for all offices (which could be identified through abstracts on file) for the period 11/12/63 through 11/22/63. None of these communications contained information in any way pertaining to a threat to assassinate President Kennedy in Dallas in November, 1963.

Additionally, all abstracts on file regarding communications from FBIHQ designated for all offices for the months of October and November, 1963, have been reviewed with no indication found of any such prior information.

The above searches included communications designated for all offices, all SACs and Legats, and those sent to SAC, Albany with copies to all other offices. 62-109060-7330

EX-106 REC-29 SEP 30

No indication has been found that FBIHQ made prior notification to the Dallas Office of the upcoming November, 1963, Presidential visit to Dallas.

A review of pertinent Bureau files and contact with appropriate personnel in the Intelligence Division reveal that prior notification to the field of upcoming Presidential visits was not in 1963 and is not now a routine procedure. Policy

WEN:amd (11)

CONTINUED - OVER

OCT 17 1975

prior to the assassination of President Kennedy was to disseminate all information obtained regarding threats against the President to the United States Secret Service. Within days after the assassination, the "Travel of the President in the United States and Commonwealth of Puerto Rico (TROPUS)," program was instituted. All offices were instructed to disseminate, not only threat information, but also information concerning persons showing emotional instability or irrational behavior; persons who have made threats of bodily harm against officials or employees of Federal, state or local governments or officials of foreign governments; individuals expressing strong and violent anti-United States sentiments and who have been involved in bombings or bomb making or whose past conduct indicates tendencies toward violence; and individuals whose prior actions or statements depict propensity for violence and hatred against organized government. All offices were instructed to initiate a file review to identify persons fitting into the expanded categories. This was to be completed within 30 days unless information was received indicative of Presidential travel in a field division, in which event the review was to be completed immediately. All information developed was to be disseminated to United States Secret Service. Instructions were issued for all investigative personnel to be alert in connection with day-to-day investigations for persons meeting this criteria. United States Secret Service was to be promptly furnished a memorandum setting forth pertinent background data and a succinct statement of facts forming the basis for the determination that he falls within the designated categories.

In connection with foreign travel of the President, United States Secret Service does notify the FBI with a request for all pertinent intelligence information. These communications are relayed to the concerned Legats.

Prior notification to the field regarding domestic Presidential travel is not made for several reasons. All information falling within the categories according to the agreement between the FBI and the United States Secret Service is disseminated to United States Secret Service as a matter of course. United States Secret Service usually contacts concerned field offices (and local authorities) prior to domestic travel. Also, most domestic travel of the President is a matter of public knowledge.

ACTION: For information.

A 130 - KENNEDY ASSASSINATION -

Washington - Mark Lane, long time critic of the Warren Commission investigation of the assassination of John F. Kennedy, said today the FBI warned its Southern offices five days before Kennedy was shot that an attempt would be made to kill him in Dallas on November 22.

An FBI spokesman refused to comment on Lane's allegations.

Kennedy was shot and killed on November 22, 1963, while riding in a motorcade in Dallas.

Lane's comments came one day after Dallas County Prosecutor Henry Wade said, "Somebody encouraged Lee Harvey Oswald to shoot PResident Kennedy."

But Wade said reopening the investigation would be a waste of time and money.

Lane, Director of the Citizens Commission of Inquiry, said William S. Walter, a security clerk in the New Orleans office of the FBI has said he saw a message from FBI headquarters in Washington warning of a possible assassination attempt. Lane said Walter told him the message was received on November 17.

The Citizens Commission has asked Congress to reopen the investigation of the Kennedy assassination.

ENCLOSURE

12-1-1060 11:21

A093 -Dallas - "Somebody encouraged Lee Harvey Oswald to shoot President Kennedy," District Attorney Henry Wade says.

But Dallas County prosecutors said Monday he believed a reopened investigation of the 1963 assassination would be a waste of time and money.

Wade, who was District Attorney at the time John F. Kennedy was slain in Dallas, said, "I have always had a gut feeling, which I still have, that someone -- one or more persons -- encouraged Oswald to shoot the President. There may have been an arrangement for someone to meet Oswald and get him out of Dallas.

"But if a conspiracy did exist, a new investigation would not shed light on the identity of those involved . They wouldn't step forward, so why go to the time and trouble."

The District Attorney said he agrees with the Warren Commission's findings that Oswald fired the shots that killed Kennedy and gravely wounded John Connally, then Governor of Texas.

SEP 28 1975

Assoc. Dir.	
Dep.-A.D.-Adm.	
Dep.-A.D.-Inv.	
Asst. Dir.:	
Admin.	
Comp. Syst.	
Ext. Affairs	
Files & Com.	
Gen. Inv.	
Ident.	
Inspection	
Intell.	
Laboratory	
Plan. & Eval.	
Spec. Inv.	
Training	
Legal Coun.	
Telephone Rm.	
Director Sec'y	

NR001 CE PLAIN

7:43 PM URGENT SEPTEMBER 28, 1975 RLN

TO: DIRECTOR

(ATTENTION: GENERAL INVESTIGATIVE DIVISION)

FROM: CHARLOTTE (89-46)

ASSASSINATION OF PRESIDENT JOHN F. KENNEDY, 11/23/63, DALLAS, TEXAS.

RE BUREAU TELETYPE SEPTEMBER 27, 1975.

NO RECORD CHARLOTTE INDICES OF TELETYPE IN QUESTION, AND REVIEW OF 62-0, 89-0, AND OTHER LOGICAL FILES FOR PERIOD OCTOBER, NOVEMBER, DECEMBER, 1963, FAILED TO REVEAL A RECORD OF SAME.

END

REC-18 62-109060-7332

WGM BI FBIHQ CLR

EX-111

5 OCT 1 1975

8313

5 OCT 21 1975

OFFICE OF DIRECTOR
FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

September 30, 1975
1:13 PM

TOM JOHNSON, Dallas, Texas, called.

He said he had talked last Friday with Mr. Adams requesting a statement from Mr. Kelley concerning this gentleman who had made some allegations, Walter. Today AP has run a story out of Washington about this and he, Mr. Johnson, would like to put back his request for a statement from the Director. He said Mr. Adams had indicated the Director may have a statement by Tuesday.

Mr. Johnson identified the AP story as A-130, which moved at 11:38 EDT today concerning the Kennedy assassination. I have asked Mr. Moore to see if he could get a copy of this ticker. (See attached)

Mr. Johnson may be reached at (214) 744-6620

edm

MR. CALLAHAN
MR. JENKINS
MR. [illegible]
MR. [illegible]ISH
MR. BASSETT
MR. CLEVELAND
MR. COCHRAN
MR. DECKER
MR. GALLAGHER
MR. HOXIE
MR. MC DERMOTT
MR. MINTZ
MR. MOONEY
MR. MOORE
MR. WALSH
MR. WANNALL
MR. COLEMAN
MR. REED
TELE. ROOM
MRS. METCALF

Handled EX-106
You have the info. I see no reason why you cannot release the statement which you read to us.

REC 17 62-107[illegible]

114 OCT 10 1975

1 ENCLOSURE EX-106

OCT 16 1975 1,393

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

SEP 28 1975

GACC

TELETYPE

1 ME CODE

10:25 AM URGENT SEPT. 28, 1975

TO DIRECTOR

FROM MEMPHIS

ATTN: GENERAL INVESTIGATIVE DIVISION

ASSASSINATION OF PRESIDENT JOHN F. KENNEDY, 11/22/63, DALLAS, TEXAS.

RE BUREAU TELETYPE 9/27/75 TO ALL SACS.

IN ACCORDANCE WITH INSTRUCTIONS IN RETEL, MEMPHIS INDICES SEARCHED WITH NEGATIVE RESULTS. ALL LOGICAL FILES, I.E., 44, 62, 89, REVIEWED WITHOUT LOCATING ALLEGED TELETYPE TO ALL SACS, 11/17/63.

LOCATED IN CONNECTION WITH THIS SEARCH WAS INFORMATION RELATIVE TO INTERVIEW WITH FORMER NEW ORLEANS CLERICAL EMPLOYEE WILLIAM S. WALTER. REVIEW OF INFO RE WALTER REFLECTS HIM TO HAVE ALLEGED RECEIPT OF SUCH A TELETYPE WHILE ASSIGNED TO NEW ORLEANS. WALTER INTERVIEWED ON TWO OCCASIONS AT MEMPHIS, ONE SUCH INTERVIEW BY NOW RETIRED SAC ROBERT G. JENSEN.

COMPLETE INFO FURNISHED BUREAU VIA LHM REC 44 62-109060-7333

END PAGE ONE

EX-106

OCT 1 1975

6-MM

70 OCT 20 1975

Dep.-A.D.-Adm.
Dep.-A.D.-Inv.
Asst. Dir.:
Admin.
Comp. Syst.
Ext. Affairs
Files & Com.
Gen. Inv.
Ident.
Inspection
Intell.
Laboratory
Plan. & Eval.
Spec. Inv.
Training
Legal Coun.
Telephone Rm.
Director Sec'y

THE BUREAU'S ATTENTION IS ADDITIONALLY INVITED TO MEMPHIS NITEL TO DIRECTOR DATED 9/25/75, CAPTIONED "ASSASSINATION OF PRESIDENT JOHN FITZGERALD KENNEDY, NOVEMBER 22, 1963, DALLAS, TEXAS, ATTENTION EXTERNAL AFFAIRS. BUFILE 62-109060, MEMPHIS FILE 44-1166." TO REITERATE, MEMPHIS HAS NOT LOCATED IN LOGICAL FILES ANY COMMUNICATION AS SET FORTH IN REBUTEL. INDICES AND FILE REVIEW CONDUCTED BY MEMPHIS SPECIAL AGENT PERSONNEL.

END.

MAH FBIHQ ACK FOR ONE

WA CLR

TU

FBI

Date: 9/29/75

Transmit the following in _____ (Type in plaintext or code)

Via AIRTEL AIR MAIL (Priority)

Asst. Dir.:
Admin.
Comp. Syst.
Ext. Affairs
Files & Com.
Gen. Inv.
Ident.
Inspection
Intell.
Laboratory
Plan. & Eval.
Spec. Inv.
Training
Legal Coun.
Telephone Rm.
Director's Sec'y

TO: DIRECTOR, FBI (62-109060)

FROM: SAC, JACKSON (175-5)(C)

ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY
11/22/63
DALLAS, TEXAS
MISCELLANEOUS - INFORMATION
CONCERNING

Re Jackson airtel to Bureau 9/25/75.

On 9/25/75, THOMAS CECIL MC CURLEY, Jackson, Miss., telephonically contacted SA HAROLD M. RATCHFORD and furnished the following information:

On the evening of 9/24/75, he received a telephone call from WILLIAM WALTER, former employee of the FBI, New Orleans, La.

WALTER, in his talk with MC CURLEY, stated that prior to leaving the FBI he copied some documents, one of which was a teletype to all offices from the Director concerning an attempt to be made on the life of President KENNEDY.

WALTER read this teletype off quickly and time indicated on teletype was 1:45 EST and words to the effect were: A threat to assassinate or on the life of President KENNEDY by a militant organization.

62-109060-7334
SEP 29 1975 REC-21

A notation, according to WALTER, was made on the bottom of the teletype that Agent MILTON KAACK was advised.

WALTER insisted that MC CURLEY was aware of the teletype; however, he advised WALTER that he remembers no such communication.

(2) - Bureau (AM)
1 - Dallas (89-43)(Info)(AM)
1 - New Orleans (89-69)(Info)(AM)
1 - Jackson (175-5)

Approved: _____ Sent _____ M. _____
Special Agent in Charge

HMR:bbb
(5)

14 OCT 2 1975

U.S. Government Printing Office 1975

WALTER also pointed out that he had forgotten that he owed MC CURLEY money on a boat of which they were both partners. MC CURLEY advised WALTER that he owed him $400, and that the boat was destroyed in Hurricane Camille in 1968.

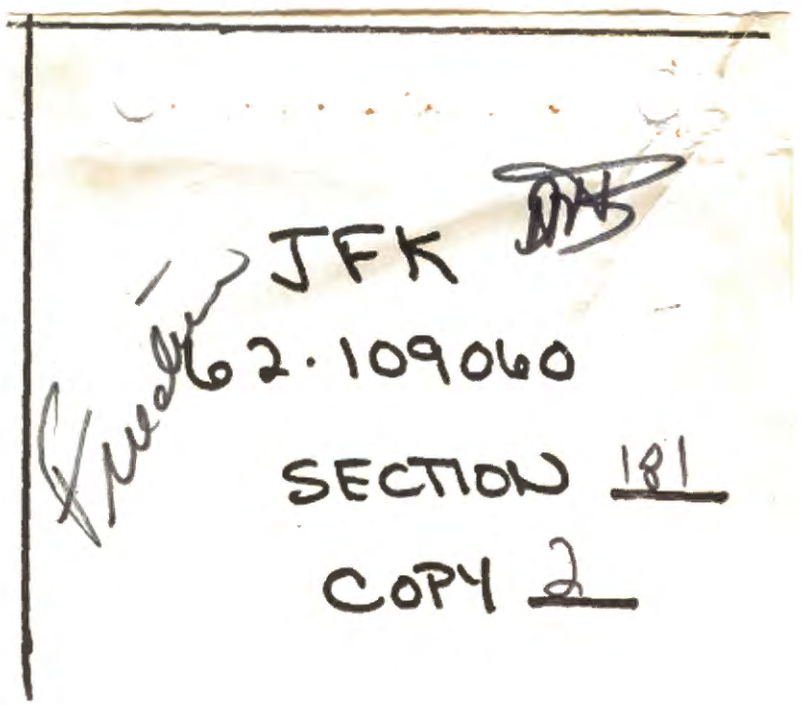
WALTER advised MC CURLEY that he would forward him a check for $400.

WALTER indicated to MC CURLEY that he is currently the Director of a bank in Morgan City, La., and his office telephone number is 504-384-4911, home phone #504-395-5530.

MC CURLEY advised that he believed his conversation was being recorded in that he heard noises such as "blurps" to indicate possible recording. WALTER also pointed out that the FBI had destroyed a letter written by LEE HARVEY OSWALD to an Agent in the Dallas Office in that this Agent was having an affair with OSWALD's wife.

Later that evening he received a call from one MARTIN (LNU) who reported he was employed by DAN RATHER, New York City, to re-check again concerning teletype in question. At this time MC CURLEY talked to this individual about WALTER and about WALTER owing him money for a boat they both purchased in 1966.

MC CURLEY stated that he had no papers showing ownership of this boat, and the agreement they made was that of a "gentlemen's agreement."


JFK
62-109060
SECTION 181
COPY 2

1 - Mr. Callahan
1 - Mr. Adams
1 - Mr. Jenkins
October 6, 1975
1 - Mr. Gallagher
1 - Mr. O'Connell
1 - Mr. Cooke
1 - Mr. Nettles
1 - Mr. Bassett
1 - Mr. McDermott
1 - Mr. Mintz
1 - Mr. Wannall

The Attorney General

Director, FBI

ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY
NOVEMBER 22, 1963
DALLAS, TEXAS

On September 9, 1975, Assistant to the Director - Deputy Associate Director James B. Adams and I talked via telephone with an individual who has requested that his identity remain confidential. He advised that a source, whom he would not reveal, had indicated that a few days prior to the assassination a teletype had been sent to all Special Agents in Charge concerning receipt of information that a militant group might attempt to assassinate President Kennedy. The source also told him that all copies of this teletype are gone. He advised that the source was supposed to make a hard copy of the teletype available the following Thursday morning; however, from his notes the teletype as best as could be reconstructed was as follows:

REC 12 7335
ST 114

MAILED 7
OCT 7 1975
FBI

5 OCT 8 1975

Urgent
At 1:45 or 47 AM EST
11/17/63 HLP
To All SAC's
From Director (or the Director)
Threat to Assassinate President Kennedy in Dallas, Texas, Miscellaneous Information Concerning.

"Information has been received by Bureau that militant revolutionary group may attempt to assassinate President Kennedy on his proposed trip to Dallas, Texas. All receiving offices should immediately contact all CI's, PCI's, logical racial and hate group informants and determine if any basis for threat. Bureau should be kept advised of all developments. Submit FD 302's and LHMs. Other offices have been advised and acknowledged.

Assoc. Dir. ___
Dep. AD Adm. ___
Dep. AD Inv. ___
Asst. Dir.: ___
Admin. ___
Comp. Syst. ___
Ext. Affairs ___
Files & Com. ___
Gen. Inv. ___
Ident. ___
Inspection ___
Intell. ___
Laboratory ___
Plan. & Eval. ___
Spec. Inv. ___
___

"HO
DL
NO
KT TI TU CLR"

ENCLOSURE

WEN:cjl (16)

MAIL ROOM ☐ TELETYPE UNIT ☐

GPO : 1975 O - 569

Thus far, he has not furnished us with a copy of the alleged teletype.

Additionally, another individual, who also requested that his name be kept confidential, contacted our Dallas Office on September 17, 1975, advising that he had received information similar to that above. He would not reveal his source of information, but said the alleged teletype read as follows:

"Urgent 1:45 a.m. EST 11/17/63 RLP One page
"To All SACs
"From Director -
"Threat to Assassinate President Kennedy in Dallas, Texas 11/22/63, Miscellaneous Information Concerning.
"Information has been received by the Bureau has determined that a militant revolutionary group may attempt to assassinate President Kennedy on his proposed trip to Dallas, 11/22-23/63. All receiving offices should immediately contact all CIs, PCIs, logical racial (radical) and hate group informants and determine if any basis for threat. Bureau should be kept advised of all developments via teletype. Submit FD 302s and LHM. Other offices have been advised.

"End and acknowledge please.

"HO
OL
"HO
XT TI TU CLR"

This second individual inserted the word radical into the teletype, stating he thought radical should be in the teletype rather than racial.

Allegations regarding this matter first came up in 1968. James Garrison, who was then District Attorney in New Orleans, Louisiana, stated on the Johnny Carson television show on the night of January 31 - February 1, 1968, that a former New Orleans FBI employee had told Mark Lane, who was helping Garrison in his investigation of the assassination, that such a teletype had been received at the New Orleans Office. The former clerk, William S. Walter, on the following day denied knowledge of the teletype and denied telling anyone of such a teletype. He subsequently changed his story, claiming that such a teletype was received by him at the New Orleans Office of the FBI during the early morning hours of November 17, 1963.

The Attorney General

An extensive inquiry was conducted into this matter by the FBI in 1968. No record was located of any such teletype and no other person was located who had any knowledge of it.

Details regarding this inquiry were furnished to the Department of Justice by communications dated: February 2, 1968; February 5, 1968 (2); February 6, 1968; March 20, 1968 (2); March 28, 1968; April 1, 1968; April 4, 1968; April 6, 1968; May 3, 1968; May 10, 1968; May 16, 1968; December 23, 1968; December 26, 1968, December 31, 1968.

A copy of each of these communications is attached. Also attached is a copy of a press release the FBI has made in this matter.

Current information regarding the alleged teletype is more specific than was available in 1968. A study of the text of the alleged teletype reveals several variances in format and wording with communications and investigative procedures in existence in 1963. The most significant variance is that the alleged teletype says that a "militant revolutionary group" may attempt to assassinate President Kennedy. The instructions issued to the field in the alleged teletype are to contact several different types of informants, but Security Informants (SIs) and Potential Security Informants (PSIs) are not included. A "militant revolutionary group" would be investigated as a security matter and instructions would be issued to contact SIs and PSIs first and foremost.

The date and time in the alleged teletype are in reverse order from the format in use in 1963.

The terminology, 'one page," should be on the same line as and follow "From Director." It should read "1P" instead of "one page."

In both current versions of the teletype, the initials, 'HLF," appear after the date '11/17/63.' These initials would be those of the teletype operator sending the message. Records of the FBI fail to show a person having those initials working as a teletype operator at FBI Headquarters in 1963. We have an employee with the initials 'HFL,' who

CELL
UN ON

was a teletype operator at FBI Headquarters on the 11:00 p.m. to 7:00 a.m. shift during November, 1963. He is Harry F. Louderback. Mr. Louderback has no recollection of there having been such a teletype as the one in question being sent by himself or any other employee of the Teletype Unit.

The term in the alleged teletype, 'Bureau should be kept advised of all developments via teletype,' would normally have been shortened to read, "Sutel developments."

Both versions of the alleged teletype instruct the field to contact informants and submit FD-302s. Normal instructions to the field to contact informants would not include the direction to submit FD-302s.

The term, "Other offices have been advised," would appear to be redundant since the message was directed to all Special Agents in Charge.

The last four lines of the alleged teletype appear to indicate that the message was transmitted simultaneously to three offices Mobile, Dallas, and New Orleans, followed by a single acknowledgement, 'KT TI TU CLR.' This is inconsistent with normal format in that the abbreviations for each of the three offices should be followed by a separate acknowledgement consisting of the time, 'OK FBI,' field office abbreviation, and the teletype operator's initials.

All identifiable communications sent by FBI Headquarters designated for all SACs, all offices, and SAC, Albany, with copies for all other offices for the period November 12 through 22, 1963, have been reviewed and none contain any information regarding a militant revolutionary group possibly attempting to assassinate President Kennedy during his trip to Dallas.

It was determined that only one communication was dispatched from FBI Headquarters on November 17, 1963, to the New Orleans Office. This was a letter enclosing a translation of a document in conjunction with a trial in a totally unrelated Fraud Against the Government case. Since Mr. Walter worked

the 12:15 a.m. to 8:15 a.m. shift on November 17, 1963, a check was also made of communications dispatched on November 16, 1963, and there were only three, those being: (1) a teletype in a fugitive case, (2) an airtel (which is an intra-FBI teletype sent through the mail) in a stolen motor vehicle investigation, and (3) an airtel concerning a military deserter. None of these communications made mention of President Kennedy.

The individual who contacted the Dallas Office on September 17, 1975, furnished a phonetic list of seven Agents and three clerks who were assigned to the New Orleans Office in 1963, and who supposedly knew about the alleged teletype. Six of the individuals were interviewed during the 1968 inquiry and all denied any knowledge of the November 17, 1963 teletype.

It should be noted that in 1968 fifty-three employees of the New Orleans Office who were assigned there in November, 1963, were interviewed and none had any knowledge of the alleged teletype. Additionally, the two persons who held the same position on November 17, 1963, as did Mr. Walter were interviewed. They could not recall seeing or receiving such a teletype, but one stated that Mr. Walter had mentioned to him in 1968, that he recalled such a teletype. Mr. Harry G. Haynor, who had been Special Agent in Charge in New Orleans in 1963, was also interviewed. He had no knowledge of such a teletype.

William S. Walter has filed a Freedom of Information request with this Bureau. On September 22, 1975, Assistant to the Director - Deputy Associate Director Adams was advised through a reliable intermediary that Walter claimed to have a copy of the alleged teletype, but was concerned about possible prosecutive action over having it. Mr. Adams advised the intermediary of our interest in obtaining the copy for appropriate examination to determine its authenticity. Mr. Adams then contacted Deputy Attorney General Harold R. Tyler, Jr., regarding the Department possibly granting immunity from prosecution for possession of such a document in the event Walter made the alleged document available. The following day, Mr. Tyler advised that he would authorize such immunity in the event Walter promptly made available the alleged copy of the teletype. This immunity did not extend to any other activity, such as furnishing false information to the FBI.

On September 23, 1975, Mr. Adams advised Mr. Walter by telephone of this grant of immunity. Mr. Walter stated that he was not saying he was in possession of any official documents. He said he would consent to an interview by the FBI after the FBI complies with his Freedom of Information request and he has reviewed the results of the prior inquiry done by the FBI.

On September 24, 1975, Mr. Adams spoke with Mr. Walter's attorney, Charles Culotta of Patterson, Louisiana. Mr. Culotta stated that Mr. Walter does not have a Government copy of the teletype, but claims to have an exact replica of it. He said he would contact Mr. Walter regarding furnishing the replica to the FBI, plus the names of everyone Walter now claims had possession of the teletype or personal knowledge of the teletype or with whom he claims he discussed the alleged teletype. He said he would still reserve the decision regarding an interview of Walter until after the Freedom of Information documents have been received and reviewed. Mr. Culotta said he would recontact Mr. Adams and advise him whether or not Mr. Walter would be willing to furnish the replica and the other information requested. Thus far, Mr. Culotta has not recontacted Mr. Adams.

The Freedom of Information material has been sent to Mr. Walter.

Additionally, by letter of September 12, 1975, Martin J. Phillips, a researcher for CBS News in New York, New York, requested access to any and all documents relating to "movement telexes" to New Orleans, Dallas, and Houston during the two-week period prior to and including November 23, 1963. It appears that his request might relate to the alleged November 17, 1963 teletype. A letter has been sent to him requesting that he clarify what he means by "movement telexes."

Based on information developed to date, we have no reason to question the results of the 1968 inquiry into this matter and have no reason to institute further investigation.

Enclosures (17)

1 - The Deputy Attorney General (Enclosures - 17)

1 - Assistant Attorney General
Criminal Division (Enclosures - 17)

UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to File No.

Jacksonville, Florida
February 2, 1968

RE: ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY
DALLAS, TEXAS
NOVEMBER 22, 1963

On the morning of February 1, 1968, Mr. WILLIAM S. WALTER, 1533 Jackson Avenue, New Orleans, Louisiana, contacted Special Agent in Charge D. K. BROWN by telephone and furnished the following information:

Mr. WALTER stated he was in Jacksonville for a short period of time, and on the night of January 31, 1968, he had seen the Johnny Carson Show on television and that certain representations were made by District Attorney JIM GARRISON which were inaccurate and untrue. Mr. WALTER made an appointment to appear at the Jacksonville office during the afternoon of February 1, 1968, and furnish the facts concerning his contacts with people concerned in the GARRISON investigation of the death of President KENNEDY.

On the afternoon of February 1, 1968, Mr. WALTER came to the office and advised that the Johnny Carson Show, supra, consisted of an interview with JIM GARRISON. Near the end of the show, JOHNNY CARSON was pressing GARRISON for new evidence he allegedly had to offer, and GARRISON referred to HANK HALL who had been helping GARRISON in the investigation. GARRISON, according to Mr. WALTER's recollection, said that HANK HALL had obtained from Mr. WALTER a sworn statement which reflected that on the morning of November 17, 1963, Mr. WALTER had received a "TWX message" directed to all Southern Regional Offices of the FBI. The message advised that an attempt to assassinate President KENNEDY would be made in Dallas on November 22, 1963. Further, that WALTER, who was working alone on the midnight to 8 a.m., shift, called the Special Agent in Charge of the New Orleans office and was instructed to call a number

Lt AG (Encl)
10/6/75 1-AG,CD (Encl)
WEN: ejs 1-CRG (Encl)
ENCLOSURE

62-109060-7335

of Agents in New Orleans and tell them to maintain contact with various informants. GARRISON further alleged that this affidavit quoted Mr. WALTER as saying that a FBI directive ordered the New Orleans Office to have various Agents who had conducted interviews concerning the assassination of President KENNEDY examine these interview reports to make sure there were no conflicts contained within them. The Agents were ordered to resolve the conflicts, prepare new reports and destroy the old reports.

Mr. WALTER advised that the following series of events detail his entire relationship with members of the GARRISON group:

While a student at Tulane University and in December 1967 (believed to be the first week of December), he attended a speech made by MARK LANE at Tulane University. LANE's speech concerned the Warren Commission Report, his findings from investigation of President KENNEDY's assassination and the new book which MARK LANE was publishing.

Following the speech, MARK LANE held a question and answer period at the University Center at Tulane University. About two hundred people attended. WALTER attended the question and answer session and observed MARK LANE answer a number of questions. MARK LANE indicated to the audience that in the past he had been under surveillance by FBI Agents during all of his speaking activities and investigative activities.

At that time Mr. WALTER was standing in the rear of the meeting room and a friend of Mr. WALTER, whose identity he does not recall, but whose identity he can determine if necessary, asked if Mr. WALTER was the FBI employee surveilling Mr. LANE at this time. Mr. WALTER answered that he was not employed by the Bureau any longer and had no interest in Mr. LANE whatsoever. A woman who was standing near-by obviously overheard this conversation and approached Mr. WALTER, identifying herself as Mrs. LANE LANE. She asked whether he had ever been employed by the FBI. Mr. WALTER told Mrs. LANE that he had formerly

been employed by the FBI as a clerical employee while going to Tulane University in his spare time. Mrs. LANE asked if Mr. WALTER would like to talk to her husband, MARK LANE. Mr. WALTER replied he had no reason to talk with Mr. LANE and that he was preparing to leave. She then asked if Mr. WALTER was employed during the time of the assassination investigation and Mr. WALTER replied in the affirmative. She then asked if he could give her the identity of any former FBI employees who were involved in the investigation of the assassination. Mr. WALTER advises he gained the impression from this conversation that Mrs. MARK LANE was interested in making contact with any former FBI employees whom she could interview concerning the investigation.

Mr. WALTER told Mrs. LANE that he had resigned his position with the FBI about a year prior to the conversation; that he was not aware of the identity of any employees who participated in the investigation; and that had he such information, he would not be at liberty to disclose it to her.

Mrs. LANE then rather bluntly stated that "we have some information indicating that the FBI knew the assassination was going to take place." She then made a little speech to the effect that if he were aware of any information along the lines that the Bureau knew President KENNEDY was to be assassinated in Dallas, it was his patriotic duty, regardless of his feeling for the FBI, to bring this information to their attention.

Mr. WALTER told her he did not wish to talk to Mr. LANE and did not wish to get involved in any type of investigation of who killed the President. Mrs. LANE told him that if he ever wanted to talk to MARK LANE, he could make a contact through their residence on Charter Street in New Orleans and that the LANEs were listed in the telephone directory. Mr. WALTER then left the meeting.

RE: ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY

Shortly after this incident, Mr. WALTER left New Orleans to go to Atlanta where he spent two weeks in a training course for Permacel, the industrial tape division of Johnson and Johnson. He returned to New Orleans the Friday before Christmas 1967. Shortly after his return to New Orleans, he heard a news bulletin on the radio to the effect that JIM GARRISON was in possession of a copy of a TWX message which indicated that the FBI had prior knowledge that President KENNEDY was going to be assassinated. Mr. WALTER thereafter was in constant travel status until 1/16/68 at which time he returned to New Orleans.

The following morning his landlord, BOYD ALLISON, 1531 Jackson Avenue, New Orleans, Louisiana, told Mr. WALTER that a group of men with the Detective Division of the New Orleans Police Department had been trying to locate him and Mr. ALLISON gave Mr. WALTER a telephone number and the name - Mr. BRITAL. Mr. ALLISON told Mr. WALTER that this man BRITAL had stated Mr. WALTER was an important witness and should call the telephone number immediately upon arriving in New Orleans. Mr. WALTER made contact with BRITAL by telephone. BRITAL identified himself as being an employee of the New Orleans District Attorney's Office and said it was important to make contact with WALTER immediately.

Mr. WALTER had placed his call to BRITAL from a telephone booth at the Burger King Drive-in at the corner of Clairborne and Carrollton Avenue, and he agreed to wait at that location for Mr. BRITAL. BRITAL shortly drove up to the drive-in with another individual who was identified as an employee of the District Attorney's Office but whose name WALTER does not recall. Within a moment or two a third individual, name unknown, but a member of the District Attorney's Office, arrived in a second car and almost immediately thereafter Mr. and Mrs. MARK LANE arrived at the drive-in. Upon seeing the LANEs, WALTER immediately knew that they wished to talk about the KENNEDY assassination, so he said to them, "You are teaming up on me and I refuse to talk about my activity in the Bureau or about President KENNEDY's assassination investigation."

RE: ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY

BRITAL asked if WALTER had not indicated to Mrs. LANE that he wished to talk to MARK LANE. WALTER denied having made any such indication and left to get into his car. He was followed to his automobile by Mr. and Mrs. MARK LANE. There they engaged him in conversation apart from the rest of the group. LANE asked whether WALTER was employed by the Bureau during the time of the investigation of the President's assassination. WALTER replied to the affirmative, but said that he had no information concerning the investigation.

At this point MARK LANE asked, "Did you receive a TWX from FBI headquarters the Sunday before the assassination that KENNEDY was to be assassinated in Dallas, Texas?" WALTER replied to LANE that he was not sure that he was even on duty on that particular date, that as part of his duties he was required to receive and send numerous teletypes. LANE then told WALTER that the American people had a right to know the full truth about what happened in Dallas and that LANE felt it was everyone's obligation to contribute to finding out the truth and if WALTER had any knowledge that the FBI was concealing information or that the FBI was aware that an assassination attempt was to be made, that WALTER had the duty to make it known.

LANE then asked if WALTER had a copy of a "TWX" to this effect. WALTER told LANE he had no copies of any Bureau communications and that he knew of no one who did.

At this point WALTER insisted that he had to leave to go to Biloxi, Mississippi, and LANE said, "I want you to know that all of your expenses are covered." WALTER replied that he had done nothing for LANE to earn expenses. LANE asked whether WALTER would like to come to work for JIM GARRISON. Upon receipt of a negative reply, LANE said that JIM GARRISON was backed by a group of people and he had access to a lot of money and would be willing to pay a lump sum for any information WALTER

might be able to furnish MARK LANE. WALTER told LANE he had a job and had done nothing that would merit a lump sum payment.

LANE was most persistent and again queried WALTER about the existence of the "TEX" mentioned above and in parting LANE asked that WALTER do him the favor of calling LANE when he was next in New Orleans. WALTER replied he would not be back for sometime and then left.

Mr. WALTER advised that he never received or saw a teletype or other message containing the information being sought by LANE. He further emphatically denies that he ever received any payment of any sort from LANE or GARRISON or persons associated with this investigation and also emphatically denies that he has ever furnished an affidavit or signed statement of any kind to these people.

Mr. WALTER further said that he had had no conversation with MARK LANE or any other persons concerning an alleged FBI directive to the FBI New Orleans Office instructing Agents who had conducted interviews concerning the assassination of President KENNEDY to examine these interview reports and make sure there were no conflicts contained therein. He could recall no conversation concerning orders to resolve the conflicts, prepare new reports, and destroy old ones.

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.